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REPORT

OF THE

THIRD ANNUAL MEETING

OF THE

LAKE MOHONK CONFERENCE

ON

INTERNATIONAL ARBITRATION

1897

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REPORTED BY MARTHA D. ADAMS

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PUBLISHED BY  
THE LAKE MOHONK ARBITRATION CONFERENCE

1897

# THE MOHONK ARBITRATION CONFERENCE.

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## PREFACE.

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THE third annual meeting of the Lake Mohonk Conference on International Arbitration was held, on the invitation of Mr. and Mrs. Albert K. Smiley, at the Lake Mohonk House, Ulster County, N. Y., June 2, 3, and 4, 1897. Six sessions were held. This Report contains the stenographic account of the proceedings, which consisted of papers, addresses, and discussions on the subjects of an Anglo-American treaty of arbitration, a permanent international tribunal, and kindred topics.

One copy of this Report is sent to each member of the Conference. If other copies are desired, application should be made to Mr. Albert K. Smiley.



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# THE THIRD LAKE MOHONK ARBITRATION CONFERENCE.

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## First Session.

Wednesday Morning, June 2, 1897.

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THE Lake Mohonk Conference on International Arbitration met for its third annual session, by invitation of Hon. and Mrs. Albert K. Smiley, in the parlor of the Lake Mohonk House, on the 2d of June, 1897, at ten o'clock in the morning.

Mr. Smiley opened the Conference with an address of welcome to the gentlemen and ladies who had assembled. He expressed his hopes of a successful conference, and asked that there might be the freest discussion, always with a spirit of Christian kindness. The rejection of the arbitration treaty, which at first sight seemed discouraging, had at least resulted, he said, in bringing the subject of arbitration before the world and arousing discussion, which must in the end convince the American people that arbitration is the only just way of settling disputes between nations.

Mr. Smiley then nominated, as the President of the Conference, the Honorable George F. Edmunds, who was unanimously elected, and was welcomed to the chair with hearty applause. Judge Edmunds then spoke as follows :

## OPENING ADDRESS.

BY THE PRESIDENT, HON. GEORGE F. EDMUNDS.

*Ladies and Gentlemen,* — I need not say that I appreciate in the highest degree the kindness of your calling upon me to preside. I can see before me many gentlemen who are better suited for such duties than I am, but I am willing to do the best I can.

A year ago, when we met here, the subject of arbitration, so far as regarded government action, was almost entirely in the dark. There were vague hints that negotiations were going on with Her Majesty's government of Great Britain, the Empress of the Indies,



whose jubilee is about to be celebrated, whose reign has covered a period of sixty years of wholesome Christian administration so far as she was concerned; and it may not be wrong to say, covering a period of sixty years of large aggrandizement of the possessions of her country, sometimes gained, I fear, in a way that would not be altogether agreeable to her gracious Christian hopes and sympathies. But our Anglo-Saxon brethren are very like ourselves; it has not been sixty years since we have been engaged in aggressive extension of territory, and in the selfish attainment of what we considered to be political ends, not by means of peaceful methods, but by the sword.

Now, after a year, we come again, and the treaty which it was supposed was to be negotiated has been negotiated, has been submitted to the Senate, and is said to have failed, though I believe the seal of secrecy has not been removed. Undoubtedly, however, it is true; and so we meet now under circumstances essentially different to those of the last year. It reminds me of what one of the greatest and best of our Christian poets, Whittier, said when the first real campaign against the aggressions and wickedness of slavery failed in 1856. If I may paraphrase, I will repeat the first verse of that poem of his, written immediately after our defeat in November, 1856:

“Beneath thy skies, Mohonk,  
Thy skies of sun and rain,  
Around our blazing camp fires,  
We close our ranks again.”

As my friend has said, we are not to be discouraged; we are to be encouraged. Senators come and senators go; it is public opinion, steadfast, persistent, intelligent, brave public opinion, that rules the world. I need hardly confine it to the civilized world, for the wildest chief in darkest Africa cannot long maintain his power, except he has the support of the majority of the people over whom his government is exercised. So I say all that is needed in the end is steadfast, persistent, earnest discussion, untiring energy in all just and honest ways to persuade a still larger body of the people of the United States that arbitration is the right and the only right way to settle differences among the nations, as it is (for the course of civil law is arbitration) among private individuals in civilized states.

This treaty was inaugurated under circumstances that led enthusiastic Americans, strong-hearted patriotic people, many of them, to look upon it with suspicion. The time of its reception in the Senate of the United States was unpropitious. Her Majesty's government, only shortly before, in a persistent effort to extend her territory in the neighborhood of the republic of Venezuela, had with seeming asperity and rudeness refused the suggestion of our President that the question between Her Majesty's government and Venezuela should be settled by arbitration, and had almost flouted the idea. When President Cleveland's pronunciamiento came forth a good many people were startled, and startled, I think, in the wrong direction —

for I think he did right. (Applause.) But it changed the aspect in which Lord Salisbury looked at the Venezuelan question. There was then in Europe the strain and stress which has grown to be so severe now, and everybody felt that Lord Salisbury's change of view and action might possibly have been induced by the idea that an arrangement for arbitration with the United States, to run for five years at least, would bridge over a very critical period in the history of British power and British safety. Very likely that was all imaginary; very likely Lord Salisbury had really changed his views, and believed that arbitration was the best thing; he certainly did very soon consent to arbitrate the Venezuelan question.

And now, looking at the question how this treaty came to fail, we must take into view all the aspects that surrounded it. This to which I have now referred, as you can naturally see, would lead a good many American senators to feel that it was merely an expedient of Her Majesty's government to maintain her ascendancy in her vast possessions and carry out her policy; and thus they had a prejudice against the treaty. There were others who had a great fear in respect of the selection of arbitrators. That the king of Sweden and Norway was, in a certain important event, to be the potentate who was to select one or two of the arbitrators seemed to some gentlemen dangerous. They felt, and felt sincerely I have no doubt, that a republican government on the west side of the Atlantic should not authorize any European king to have a voice in the selection of a possible arbitrator between ourselves and another European sovereign. I think that was a mistake, but it accounts for a certain feeling. In the great treaty of 1871 between ourselves and Great Britain, this same king was authorized, in case of a failure, to select arbitrators, — authorized, I believe, to appoint three of them, — and this very large authority was given to him with the universal acquiescence of the Senate of the United States, of our public men, and of public opinion. For this man's kingdom is situated out of the drift of European stress in politics, and this man's character is the highest. Indeed, in respect of such public acts, the strength of a sense of duty, what we call the *noblesse oblige*, would compel almost the worst sovereign to act on high ground if called upon by powerful nations to select such arbitrators.

Then there was another consideration, which is a still narrower one, that had its influence. We had just had an arbitration tribunal sitting in Paris, upon the subject of the Bering Sea fisheries. Two points were involved: one, whether we had municipal dominion over Bering Sea, and the other, whether we had private property in the seals that came to the Pribyloff Islands at certain seasons of the year for reproduction. Undoubtedly in both these points we were wrong, as I think. I suspect that President Harrison, before he engaged in the arbitration, was informed, and, perhaps, believed, that we could not maintain justly and rightly either of those two propositions. I think his view, if it was his, was based upon the ground that if Bering Sea was in our municipal dominion, the Japan



Sea would be, on the same principles, within the municipal dominion of Japan, the straits of the Red Sea would fall within the municipal dominions of those countries which bordered or controlled it, and that our fishermen could not even pass through the Strait of Canso to get to the Gulf of St. Lawrence, — a doctrine against public right, and that no just nation ought to stand upon. Then, secondly, the question was whether we would arbitrate upon the question of private property, when common law, for a thousand years, has settled that, just as it has all questions of wild animals; and to settle it in our favor would have made Her Majesty's government the proprietors of all the herring that breed on the shore along the side of Grand Manan, and we New Englanders would not have stood that at all. The question was whether it was best to arbitrate two questions in respect to both of which we were wrong. It was certainly better to arbitrate than to fight, and so we had the arbitration. Now there were one or two gentlemen, one a very influential senator who was a member of that tribunal, who sincerely believed, I have no doubt, that we were entitled to the municipal dominion of Bering Sea, and that we had a perfect private property in the seals. This senator was very much disappointed, I suspect, that all the impartial arbitrators were against him, and the decision was against us on both those points, with a recommendation which both governments, had they carried it out fairly, would have found effectual for the preservation of the seals. That had a great influence upon this senator and some others, in respect of prejudice against any kind of arbitration; just as we humble people who go to law, when the court has decided against us, from that time forth, until we recover our self-possession, are opposed to all courts.

Then there was another consideration. A large sentiment in the United States had been stringently and urgently excited by the Cubans (whoever they may be) to resist Spanish authority, which everybody knows is just as rightful an authority — I am not speaking of the justice of its administration — as we have over Alaska or any other part of the United States. And when we were trying to excite and maintain war in Cuba, and get it to a point where we should be justified upon public principles in recognizing a state of belligerency, and then recognizing the independence of Cuba; when we were thus sympathizing and promoting and furnishing materials for war, it would be somewhat curious, at the same moment, to be preaching peace and engaging in arbitration with Her Majesty's government. It would not look well.

And so you will perceive, ladies and gentlemen, that what is reported to have been a failure to carry this treaty by three or four votes is not, after all, so discouraging. The Senate, while a perpetual body, changes its personnel with most extraordinary rapidity, although the term is for six years. I had not been there but very few years, one of the youngest members in age, when out of the fifty or sixty senators then representing the states that had remained true to the Union more than half had disappeared off the scene; and I had not



been there fifteen years before I was the oldest senator in continuous service who remained. Thus the fact that this treaty has now failed ought not to discourage us in the least. On the contrary, I believe that when the stress in Europe is over, and when the sentiment, which is almost instinctive with Americans, that Her Majesty's government proposed to enter into it just then for reasons not altogether of the largest in the Christian sense, has gone by, negotiations will again be reopened, under better conditions and a more favorable conjunction of circumstances, and on a somewhat wider basis than that of the treaty which has failed ; and that many of us — I hope all of us — may live to see the first great step, that step which costs and counts, in the attainment of peace and justice among nations as well as among men.

On motion of Mr. Robert Treat Paine, Mr. Edwin D. Mead and Miss Martha D. Adams were elected Secretaries.

On motion of Dr. Charles L. Thompson, the following gentlemen were elected a Committee on Business : Hon. Samuel B. Capen, of Massachusetts ; Hon. Robert Treat Paine, of Massachusetts ; Hon. John H. Stiness, of Rhode Island ; Dr. Benjamin F. Trueblood, of Massachusetts ; Dr. John B. Clark, of New York ; Hon. William L. Learned, of New York ; President William F. Slocum, of Colorado ; Hon. William N. Ashman, of Pennsylvania ; and Hon. William L. Wilson, of Virginia.

On motion of Dr. Clark, Mr. Joshua L. Baily, of Philadelphia, was elected Treasurer.

On motion of Mr. Capen, it was voted that Major Marshal H. Bright, of New York, and Mr. Edwin D. Mead, of Massachusetts, serve as a Press Committee.

On motion of Mr. Capen, it was voted that all resolutions which may be presented shall be referred to the Business Committee without discussion.

The first speaker of the morning was REV. EDWARD E. HALE, D.D., of Boston, who spoke as follows :

#### ADDRESS OF REV. E. E. HALE, D.D.

I am highly honored in being permitted to take what is the very enviable position of the first speaker on such an occasion. I am sure we all rejoice in the strong, intelligent, and hopeful statement of our chairman. I hope everybody came here in that mood ; certainly I did, and I am quite sure that everybody will go away in good spirits.

The advance since last year has been very great. We rose a great deal higher than anybody expected to. Then we had a pretty

bad fall, but we have not fallen nearly as low as we were then. This country understands that there is such a question. This country understands, and let me say this convention understands, the language in which we are to speak a great deal better than we did then. We shall not have, I think, in this meeting, what I have a right to call the somewhat vague and spongy use of words which we have had in the two sessions before. We know much better what we are after than we knew then, and the great word which the chairman used just now — that we have come for much wider business than we ever knew we had come for before — is a word which I hope will linger with us through the whole of these proceedings.

The truth is, that the whole business of "Diplomacy" is at stake, as has been suggested here, as has been hinted in print. We ought to remember that diplomats by profession, the men who are in bureaus at home or on embassies abroad, are not precisely the people to tell us whether a much broader and nobler foundation shall be established for the intercourse of Christian nations than that on which they have been twitching and pulling and fixing and fussing for two hundred and fifty years. You do not go to a physician of one school to ask him how a physician of another school is to extend the work of that school and to annihilate School Number One; and the diplomatists are not exactly the people who are to be consulted as to the great measure which, in less than a century, will put an end substantially to the methods of "Diplomacy." And when we are told that Lord This or the Marquis of That thinks this is a fad of modern times and will die out, we shall say, "We did not come to ask your opinion. We are going to take the opinion of the civilized and intelligent men of business, men of action, men of thought, men of prayer, of the world."

I wish we might remember, and I wish the gentlemen of the press would find out, that this whole business of ambassadors and ministers and envoys and *chargés d'affaires* and Heaven knows what not, is all two hundred and forty-nine years old, and only that. It came into existence with the treaty of Westphalia, as it will begin to go out of existence with the treaty for which we are here to lay the foundations. Under the present system, when two countries find out that they are countries, when a nation comes to a sense of independence, it looks round and says, "Where can we send some ministers?" I will not say that it is found convenient sometimes to send abroad for four years a gentleman who is very popular at home, though that thing has happened. I will only say that from the love of courts, the love of grand ceremony, and the rest, it is perfectly natural that a young nation like ours should desire to establish itself as being as good as anybody; quite as a rich Californian when he goes to Paris wants to have as fine carriages and as fine horses as the dukes and the rest who are in Paris. That is all very nice; and so it happens that in every court in the world, the court at Washington included, there is a little cluster of gentlemen, most of them with nothing under the heavens to do but to dress for evening parties,



and that to these gentlemen is confided, in the course of business, the affairs of great nations when they have affairs with each other. I do not say but that, for a good many things, this works sufficiently well. I do say that there is no merchant to whom I am speaking who, if he found himself in direct antagonism with a great foreign dealer in a city where he had a branch of his own house, would leave that matter to be determined by one of his own clerks and the clerk of the German firm in London. I think he would find out that there were other tribunals in London than such as these two clerks could manage between themselves.

What happens now? We get into a disturbance with a foreign country. It is illegal to go to Lord Salisbury and say, "We are old friends, my Lord; you and I were in college together, and your daughter visited at my house seventeen years ago. Why won't you sit down and talk this over?" I must not do that. I must send the question, whatever it is, to Washington, and I must go to Washington and explain to Mr. Sherman about it. I must get him to attend to it, to understand it. And when Mr. Sherman "gets round to it," as our Yankee phrase is, he writes a despatch to Mr. Hay, who has never heard of the subject before, and knows nothing about it. Mr. Hay, when he "gets round to it," reads this despatch, and then Mr. Hay writes a note to Lord Salisbury, who never heard of the subject before, and calls his attention to the question whether the head-waters of the Mackenzie ought to have trout in them or ought not to have trout in them. And Lord Salisbury says, "These Americans have got another question!" And then he sends to a man in his office and says, "Do you know anything about this?" And the man says, "We know nothing about it." And he says, "Get it up as quick as you can." Observe that all the time everything we have done has been in favor of our own prejudices; we have learned our own lesson, we have worked it out in our own way, and our man in Secretary Sherman's department "got it up" as well as he could. Observe that when it gets over there it is left to another set of men who have another set of prejudices, another set of maps, another set of books, and they "got it up" as well as they could. Then we are ready to begin. Then you go at it for four or five years, and if you get out of it at all you may thank the God who Is, and who knows no yesterday, to-day, and to-morrow.

I say that is not the way in which business men do anything. It does happen occasionally that a few farmers, — up in Vermont, Mr. Edmunds, — disliking courts, refer things to what they call arbitration; they "leave it out to men." I am very sorry, for my part, that that word "arbitration" ever got mixed up with this affair. What we are after is not one of the accidental arbitrations; we are after a permanent tribunal between the nations. That is the thing we have been after, year after year. That is the thing which was dimly foreshadowed in Mr. Olney's and Lord Salisbury's agreement, though it disappeared more and more as the treaty went on.

But, as I said when I began, I have no tears for this change or

that or another in the treaty. I am what may be called an "edge-of-the-wedge man." I believe if you get in the edge of the wedge something will follow. I believe that, when the wedge is once in its place, if the church begins to hammer, and the boards of trade begin to hammer, and the men and women begin to hammer, the wedge will go in and will go through. I was quite indifferent as to the form which the new treaty might take. It was a treaty; and there it is and there it will remain till there is a better treaty, and that treaty will certainly go through.

I need not remind this audience that Jay's treaty, the great treaty on which is founded all these amicable relations of ours, hung fire two years before the Senate. It was a thing for which men were hanged in effigy, for which they were mobbed; and yet the good sense of Jay's treaty drove it through at the end of those two years. We shall see Lord Salisbury's and Mr. Olney's treaty driven through in the same way, or some similar treaty. We shall be favored before long with the presence of our learned and distinguished friend Mr. Logan, who had so large a share in the preparation of the memorial of the New York State Bar Association which has been studied and considered here, and which has received so large a sympathy the world over. Mr. Logan has said very happily that what this means is a sign put up by the young court, "Justice between Nations administered here." At first they will be very shy about coming to the court. And then there will be perhaps two little nations who will say, "Neither of us has any armor-clads nor any military gentlemen who need promotion, nor any jingoes. Let us go and try this court." And they will look in, pretty meekly, and the reporters will not attend, and the press will turn its back on the whole business. But the court will make a decision, and the decision will be wisdom and truth. And when you have Wisdom and Truth, the Urim and Thummim of the high priest, the world will attend to that decision. No matter whether the world said in advance that it would attend or would not attend. That seems to me to be the weak spot in the Salisbury treaty. The world will do, when the time comes, just what it chooses to do when the time comes; it will not look backward, it will look forward. When the decision is made, by an impartial tribunal, which says, "This is justice," the world will attend, the press will sweep round into line, and the pulpit will speak the words of infinite truth if it knows them.

What we want is a tribunal which shall say, "We have listened to this thing, we have heard testimony, and we have decided." Our President here knows perfectly well that in these arbitration courts at Paris, about the seals, about the Alabama, about the trout stream at the head of the Mackenzie, no one of those great tribunals had the power to call a witness across the street in which they were sitting; they had to decide without a witness called before them whom they could swear in. And they did decide, and they wrote decisions that the world has attended to. What may we not expect when the



great nations of the world shall agree to form a permanent tribunal? I do not care if that tribunal sits for a year writing treatises on international law, before anybody knocks at the door for justice; but at the end of a year or two somebody will knock for justice, and it is on justice that the affairs of this world are going to turn.

One does not have to go very far back in history to see that this is the way in which all courts now existing in England and America began. They knew very well what the feudal system led to in affairs between man and man; they knew very well what it was to have the Duke of Northumberland administer justice in one way, and Lord Marmion administer justice in another way. What happened? There happened to be an institution called the church of Christ, and that institution said, "You can go into the duke's court if you want to, or into the baron's court; but we have a cathedral here and a court, and if two of our priests quarrel, we administer justice between them by the law of the living God, and that works everywhere. You can come here if you want to." And the people found that justice administered by one law for all England was a good deal better than justice administered by twenty different barons and squires and knights of the shires, so that people began coming into the great church courts, not intended for jurisdiction over them, because justice was done in the church courts by the same law for Yorkshire as for Cornwall, and they meant to have justice administered by that law. And the greatest step in the history of England was when King Henry, catching that notion from the church, sent round and established one law for all England and one set of judges for England. So determined was he that they should be the same judges and the same law that, in all the inconvenience of that time, he made the judge who sat in Cornwall sit afterwards in Essex, and then in Lincoln, and then in Yorkshire; the whole system of circuits in England began when Henry determined that there should be one law, administered in one way, in the whole of England.

Europe and America are to-day a smaller region than England was then. Europe and America have now more to do with each other than Cornwall had to do with York or Northumberland. And what you and I are here to see established is one system of jurisdiction which shall cover all those regions occupied by the six great powers of Europe and America, to be called the International Court of the Nations.

I do not go much into the history of the thing. I have taken for one of the mottoes by which I direct my life the words of St. Paul: "Forgetting the things that are behind, and reaching forth to the things that are before."

The chairman then introduced as the next speaker DR. BENJAMIN F. TRUEBLOOD, the Secretary of the American Peace Society.

## ADDRESS OF BENJAMIN F. TRUEBLOOD, LL.D.

*Mr. Chairman, Ladies and Gentlemen,*—We are all agreed that the year just past has been a very remarkable one. Victor Hugo once condensed into the simple phrase "*L'Année terrible*" a whole period of French history. I know not what adjective to apply to the year which we have been going through. In some respects it has been a very abominable year, in other respects a very encouraging year.

No good cause is ever greater than when it is first apparently defeated. When a great movement first goes through a conflict which costs it something, it learns for the first time its real strength and what it must do to establish itself. Our Union cause never became really strong until it was defeated at Bull Run. After that fateful day, the country learned that it had serious business on hand, and that it must take hold in earnest of what it had so far half played with. I suppose that everybody who has been in any way engaged in this work of arbitration, thinking about it, reading about it, speaking for it, has been more or less disgusted with the action of the Senate in refusing to ratify the arbitration treaty. Some people have hastily concluded from this action that the movement is for the present all over. Quite the contrary; we have learned, for the first time in the history of the arbitration movement, that we have a serious undertaking on our hands, which is worthy of the very best efforts that we can put forth. We have learned, for the first time in the history of the movement, who many of its friends are; we have learned who are its opponents, and the grounds of their objection, and where to look for the causes of opposition. So, on the whole, I am inclined to think that the year has been the most encouraging one in the whole history of the arbitration movement since the time of the Jay treaty. The action of the Senate and the whole subject of the defeat of the treaty will perhaps be taken up in a later session of this Conference and thoroughly discussed; I shall not take them up at this time. I think, however, we may well consider whether this Conference and all other such conferences have not directed their efforts partially in the wrong direction. We have looked too much, possibly, to the heads of the government rather than to the cultivation of public sentiment among the people, and among the representatives of the people in both houses of Congress.

You will be interested in noticing for a moment the actual gain which our cause has made during the past year. There have been not less than twelve or fourteen cases of arbitration decided or pending or referred during the year. A case has been decided between Great Britain and Holland; the difficulty between Great Britain and Venezuela has been referred to arbitration; a dispute, which arose between Great Britain and Brazil about the Island of Trinidad, has been settled through the good offices of Portugal. France and Brazil have recently agreed to submit to arbitration the question of their boundary dispute, involving a larger area, I believe, than the whole



territory in dispute between Great Britain and Venezuela. Between the United States and Great Britain we have had a commission sitting at Victoria, B. C., which closed its investigations recently, considering the damages due to Canadian sealers under the Paris award. The Alaska boundary question has also been referred to arbitration. We have had recently referred to arbitration a case between the United States and Mexico; one between the Argentine Republic and Chili and another between Great Britain and Colombia, referred in 1896, are now pending. There are other cases, besides, which I need not take time to enumerate.

It is well known also that we have never had in this country so pronounced a public sentiment in favor of this peaceful method of settling international disputes. When the Jay treaty was made, public sentiment was nearly all the other way, as Dr. Hale has told us. Mr. Jay forfeited for the time being his standing among the people of the country. It was as much as people could do to retain their respect for Washington and Hamilton, both of whom earnestly favored the treaty. Then public sentiment was practically all against the peace-seeking diplomacy of the time; but in the exciting period through which we have just been passing, public sentiment in all the great populous states, in nearly all the older states, in the states, almost without exception, where the great newspapers and the great religious weeklies are published, has been with the diplomacy which negotiated this treaty and signed it on the 11th of January. I hardly know of a respectable daily or weekly throughout the whole country that was not on the side of the treaty; that fact has tremendous significance in the history of our movement.

We have found ourselves in the anomalous position of having a great convention, agreed upon by the Secretary of State and the Ambassador from England, — a treaty which had been started by Secretary Gresham and has been supported by Secretary Sherman, a treaty recommended by the Queen of Great Britain and by two Presidents of the United States in succession, a treaty supported by the intelligent Christian sentiment of the whole country; — we find ourselves in the anomalous position, I say, of having a convention of that order, supported by such weight of public sentiment and of statesmanship, defeated by a mere handful of men. While the defeat is something to deplore, the development of public sentiment, on which we must rely at last, which changes senates by changing senators, which will find its representation ultimately in Washington, has been such as to give us the greatest encouragement. I am quite of the opinion that much more than two-thirds of the public sentiment of this country to-day is with the purpose of this arbitration conference and the treaty which has been rejected.

To carry my thought a little further, we have never had a year when the great magazines with their ablest writers, and the great weeklies and dailies have shown such unanimity in the line of our work. It is perfectly safe to say that, this unanimity of sentiment in the press having come, we are not in danger of losing it again. And

when we have another treaty, of whatever kind, coming before the Senate, we may expect the rallying to the support of that treaty of all this vast public sentiment through the public press which has expressed itself so strongly this year.

Turning to Europe, we find the same thing in a different way. The public sentiment in favor of this arbitration treaty has been even greater and more harmonious in England than in this country. The treaty was really forced upon Lord Salisbury, as those of us who have been somewhat behind the scenes in that country know, by the demand of the people, the intelligent people of Great Britain. I had sent to me from Liverpool a document to be forwarded to Washington, signed by the representatives of seven hundred Christian congregations in and about the city of Liverpool alone, all speaking with one voice upon this great subject. And that was representative of the feeling throughout the whole United Kingdom.

Let me call your attention, beyond this, to what has been taking place on the continent of Europe. Public opinion in favor of international justice or arbitration (for Arbitration is the watchword in that country) has made tremendous advances. The German peace societies and the Austrian peace societies discuss the question almost wholly from the standpoint of right and justice; they do not deal with it much on religious grounds. When we met here last year there were between forty and fifty such societies in Germany alone. More than a dozen new ones have been formed in the German cities during the year. These societies, uniting in their great central organization at Berlin, have carried through the German parliament, for the first time, a resolution approving of the principle of arbitration in international disputes. Not only so, but the resolution invited the Chancellor of the Empire to consider the question of entering into negotiations with other nations of the world for permanent treaties of arbitration for the settlement of international disputes. Thus the German parliament, the representatives of the German people, for the first time in their history, have spoken out almost unanimously in favor of this great movement, and have taken two steps at a time. Earlier in the year, about November, the Austrian parliament did the same thing, at the instigation of the Inter-Parliamentary Peace Union. A resolution was carried through that parliament suggesting to Francis Joseph and his government the advisability of proceeding at once to enter into negotiations with other countries for the establishment of a permanent system of international justice. One of the most disappointing things in connection with the defeat of the arbitration treaty at Washington is, not so much the disastrous effect upon our own people or the people of England, or the retarding of Anglo-American arbitration, but the fact that it must check in some measure, for the time being, the whole movement going on all over the Old World.

It is well known to many gentlemen and ladies here that in the year 1883 the Swiss Federal Council sent to Washington a request that the two governments should enter into some permanent system



of international justice. That matter had been allowed to rest; but on the strength of the hope that the Anglo-American treaty would be ratified, the present administration had already opened negotiations with the Swiss government following the suggestion of 1883. That is all headed off, and the German and Austrian governments are for the time being discouraged from proceeding to negotiations, because they will hold it to be useless to approach a Senate which has rejected a treaty with a country related to ours in race, in history, and in common aims. A movement which, within three or four years, might have included Austria, Italy, France, Germany, Switzerland, Belgium, Denmark, and Scandinavia has been apparently stopped for the time being, — let us hope only apparently. That is the very worst aspect of the defeat of the Anglo-American treaty. But our country has been misrepresented before the world. The cause has been wounded in the house of its friends. It will be at least some months, possibly some years, before we shall get over the misfortune. But the people of the Old World will find after a time that behind the Senate of the United States is a people whose sentiments are such that they will not submit to having their highest hopes and best wishes thwarted for long.

Another thing has pleased me in the study of this question, and in watching the development of it. While, on the whole, I heartily approve of the remarks we have listened to from Dr. Hale about the pettiness of diplomacy, the fact remains that American diplomacy has recently approached a position of moral straightforwardness, — a position from which I think it will never recede, — looking more to the settling of difficulties between the nations on the high ground of Christian principle than on that of national selfishness and petty bickering. Senator Hoar said the other day in Boston, in his great speech on the return of the Bradford manuscript, that our Ambassador to Great Britain during the past four years had been the ambassador of the good will of the American people rather than of the diplomacy of the American government. That was a fine expression; but the diplomacy of our country has been much better than the Senator's words would indicate. It has been fully up to the standard of the people, possibly much beyond it. Our last three secretaries of state have all favored a permanent system of justice between this country and Great Britain, and all other nations for that matter. Our Ambassador in Great Britain has had the same feeling. It is an interesting thing in our history that the diplomacy of the country has always been, as regards international friendship, especially with Great Britain, much ahead of the people. It was ahead in John Jay's time. When John Adams went to the British court, he said that nothing would please him better than to be instrumental in restoring friendly relations between the two countries. The diplomacy of this country was ahead of the sentiment of the people in the stormy and threatening days of Hamilton Fish, who was the first to suggest the Geneva arbitration, though the public were clamoring for war. We all know that during the past year American diplomacy has been at

least up to the people in the demand for this permanent system of arbitration with Great Britain. So far as the Ambassador at Washington is concerned, British diplomacy has been of the same kind. Anglo-American diplomacy has reached a point, has taken a stand in favor of a permanent system of international justice, which is one of the most hopeful things in our time. Having the diplomacy with us, and having the intelligent people with us, it will not be long until, as senators come and go, we shall have a Senate that will represent both the diplomacy and the public sentiment of the country.

This Conference has already passed some of the stages of discussion on the subject now before us. During the sessions this year, I think we may very well take up, in the first place, the defeat of the arbitration treaty, its causes and results; then the present status of the arbitration movement in its wider aspects, as touching all the civilized nations; then the next measures to be adopted for the further promotion of the subject. We may wisely, I think, devote one session of the Conference to the educational aspects of the subject.

Before I sit down, let me say that it is possible that we shall have to advise a treaty of somewhat wider scope than the one which we have heretofore recommended. Many of us had hoped that the sentiment in England and America was such, and that past causes of prejudice and animosity had so ceased to operate, that when a treaty was once negotiated it would readily be ratified and become at once a part of the international law of the two countries. We have been disappointed; we have found lingering in our country and unduly represented at Washington a deep-seated prejudice out of which all the mischief has been hatched. It is possible that we may find it wise, after discussion, to recommend a treaty of wider scope. There is a class of people in this country still who will not swallow Great Britain; we shall possibly have to sugar-coat her a little for them by bringing in France, Switzerland, and other countries whose parliaments have already spoken in favor of our movement. If we can succeed in agreeing to recommend a treaty of this kind, if we can get other nations into it besides Great Britain, I do not believe that any Senate two years hence would dare to refuse to ratify such a treaty. So I think the Conference may well discuss the question whether it will not at this time recommend a treaty of that character, insisting, of course, that the Anglo-American movement, in which such tremendous gains have been made, should be pushed forward without delay.

Alluding to the encouraging things of the year, let me say as I close that there is a congress now sitting in Washington, which is the most unique, interesting, and important conference in the history of the world. I refer to the International Postal Congress. When that Union assembled in Washington, there were only three organized governments on the face of the globe out of it. Two of these have already joined; the last, China, has very likely this day entered the Union. If that be true, we have now, while this Conference is holding, the first complete international union in the history of the world established for the promotion of a great international interest. This



union is of momentous significance, because, so far as it goes, it establishes the peace of the world. The Postal Union will maintain itself hereafter in the face of all wars and rumors of wars. It may be locally disturbed, there may be hindrances to the transmission of the mails; but we have now the unique fact in history of a great union, representing all organized governments, established for the perpetual promotion of an interest common to them all. That is certainly the beginning of perpetual peace.

Everything is encouraging, everything hopeful, and I trust the Conference may set its face toward the future with greater courage and resolution than ever before.

The next speaker introduced was MR. EDWIN D. MEAD, of Boston, who read the following paper:

#### ADDRESS OF EDWIN D. MEAD.

Our main effort in this Conference a year ago was to promote a treaty of perpetual peace between America and England. The interests of our high cause demand above all else fraternity between these two great Anglo-Saxon democracies. The development of that fraternity is constantly hindered by political and commercial jealousy, by jingoism, by ignorance, and by bad education. I pointed out in this place last year the mischiefs resulting from false views and false teaching concerning English history in its relation to America. We are brought face to face at this moment with the general evil of American prejudices against England, which have resulted in the rejection of the arbitration treaty. To a more serious dealing with these most baneful prejudices, every one of us is now loudly called.

I find the following passage in the despatch telegraphed to one of our leading newspapers by its Washington correspondent on May 5, after the rejection by the Senate on that day of the arbitration treaty:

Numerous reasons have been given for the rejection of the arbitration treaty, but there can be no doubt, from what was said in the debate and in conversation by senators, that the dominant cause was a combination of hatred and distrust of England and an unwillingness to give her the advantage which it was thought she would derive from the treaty. England was treated as our hereditary foe instead of our hereditary friend, and the attitude of the English government toward the Armenians and the Greeks in Turkey and the Boers in Africa was harped upon. The most effective argument was summed up by a senator in the remark: "If we ratify this treaty, within fifteen minutes the news would be flashed around the world that we have made what most nations would regard as a close and special alliance with England, and we do not want to put ourselves into that attitude." All the influences which are against England appeared in the opposition to the treaty, and accomplished its destruction.

I have had the curiosity to look back through the files of the same newspaper to December, 1895, and read the Washington despatches reporting the feeling at the capital on the day following President

Cleveland's startling Venezuela message, which may properly be regarded as the provocation of the efforts which led up to the arbitration treaty which has just been rejected. The most significant passage in the despatches of that day is the following:

The popularity of the message in the country generally was the first thing that most senators and representatives spoke of. The war spirit, as a result of thirty years of peace, is supposed to be rising in the country; and the hereditary hatred of Great Britain, the desire of the South to march to battle once more under the American flag, and the impatience of the young men of the country with the slow processes of reward in peaceful pursuits were all mentioned as reasons why the suggestion of the possible war would be popular.

"The hatred of England,"—that is the one thing which appears at the beginning and reappears at the end; and that is the main thing in the whole matter. In this alone has there been any consistency, or any pretense of consistency. In 1895 these men were posing piously as the doughty champions of arbitration. That was their chief stock in trade—for at least a fortnight. We are in this thing the representatives of the modern humanitarian idea as against the bulldozing and brutality of the past, of the method of reason against the method of force,—that was the cry. Our position is strong and we can confidently abide the verdict of the future—that was the word again and again—because we have planted ourselves upon the great principle of arbitration, which commands the future. It was because Great Britain had refused to arbitrate her differences with Venezuela that Mr. Cleveland—who is at least to be credited with sincerity and uprightness—issued his threatening message demanding arbitration. "Having labored faithfully for many years to induce Great Britain to submit this dispute to impartial arbitration,"—that was his plea and his apology,—having so labored and so failed, I now do so and so. If Great Britain would accept the principle of arbitration in the case and act upon it, then, even though arbitration gave her every acre which she claimed, the President was content; and the patriotic senators all said, "Amen." "Our views"—so wrote Mr. Olney to Lord Salisbury—"call for a definite decision upon the point whether Great Britain will consent or will decline to submit the Venezuela boundary question in its entirety to impartial arbitration." Mr. Olney was a hero—for at least a fortnight—with the noble senators from Nevada and other great states; and—for at least a fortnight—he was almost as good as a Republican in the eyes even of Matthew Stanley Quay. And Mr. Olney, be it warmly said, although guilty in his correspondence of some extraordinary theories and distinctions,—classifying England as the representative of monarchism over against the Spanish South American republics as the representatives of the idea of self-government in the world,—Mr. Olney is an upright, downright man, a man in earnest, and not a humbug. For his championship of arbitration, of arbitration in general as well as in particular, the senators praised him, the twenty-six as well as the forty-three. Was it not the pride of the Great Republic that she was the steadfast leader in this enlightened modern policy;



and did not Great Britain show, by her rejection of it in this Venezuelan exigency, that after all she belonged at heart among the effete despotisms? Our President's message, backed by a century of senators more or less, would teach her a thing or two, not only about the Monroe Doctrine, but about the general modern way of doing business. "It is a notification to Great Britain that she must arbitrate or fight," — so said the oldest Massachusetts newspaper, and so in their various dialects said the other newspapers, and so said the senators. For arbitration, for public law against the fist, the future against the past, science against barbarism,—for arbitration they would live and fight and die.

Then the long negotiation began between Mr. Olney and Lord Salisbury for a general arbitration treaty between the two countries. Our secretary always urged the most, would always give the treaty the broadest scope and make the fewest reservations; that was to be expected,—for did he not represent the Great Republic, whose business and pride it is to set the pace for enlightenment and for the future? The British Lord slowly conceded one demand after another, would restrict and guard and qualify; what else was to be expected from monarchy and the hoary past? But the thing was done; we got what we asked for; we had our way; it was a "triumph of American diplomacy."

And this is what the Senate has rejected; this is the history of what preceded its recent action. When, in 1884, Henry B. Payne, of Ohio, was seated in the United States Senate by Standard Oil money, and the Committee on Elections, with the damning evidence before it, reported that it was inexpedient to investigate the matter, Senator Hoar said: "The adoption of this report will be the most unfortunate fact in the history of the Senate." Senator Edmunds, when the report was adopted, said: "This is a day of infamy for the Senate of the United States." But more unfortunate is the blow which has just been struck by the Senate, the Republic's responsible representatives and servants, at the cause of international peace and reason; most infamous, most unfortunate, because the blow is struck conspicuously, in the eyes of all the world, struck deliberately, struck when the world, groaning under armies and navies, cries to heaven for check and rebuke to the spirit of militarism and war, by the Republic which is under divine commission to lead the world in the way of order and industry and fraternity.

"The attitude of the English government toward the Armenians and the Greeks was harped upon," — so the Washington correspondent wrote to his newspaper. The twenty-six senators trembled lest a ratification of the arbitration treaty at this time should appear to the nations of the world like an "alliance" with England, and thus the Great Republic, whose fair fame is so dear to them, seem privy to iniquity; and from that they shrank in horror. They felt themselves the proxies and attorneys of oppressed, struggling humanity, against "our hereditary foe" and freedom's, the English people, the great representatives and agents of despotism and darkness in the

world from Wyclif's time and Milton's to Bright's and Gladstone's ; and that solemn charge and consciousness nerved them to heroism. They wished to give the English people the medicine they needed, in the name of the Lord, teaching them the great lesson of cosmopolitan obligation, even at the high price of our own repudiation of it. As for poor Greece, — it is recorded that France too, and Italy and Germany and Austria and Russia, as well as England, had gunboats frowning at her gates ; it is not recorded that in any of those countries there was such an uprising of the people, such an expression of public opinion in condemnation of it, as almost paralyzed the government, — that is recorded of England alone. Nevertheless, arbitration treaties by all means, should any ever be offered or ever be possible, with the Kaiser and the Czar ; but let our "hereditary foe" be taught a lesson.

Lord Salisbury and his ministers may deserve rebuke for their policy in the East. I am of those who think they do deserve it. If we had a poet half as able to administer it as William Watson, I should like to see his ringing, stinging lines added to those of the great English singer. If we had men at Washington half as able to administer it as Gladstone and Harcourt, I should be glad to hear them speak. But when America would undertake to teach England politics and set up in trade as the world's monitor, let her choose other tongues than those which have spoken against this treaty.

We had our own opportunity to speak and act in behalf of the Armenians in a way that would be felt ; we did not do it. We had our opportunity to make our influence felt for Greece ; but we did not do it.

What were the twenty-six senators doing ? What did they ever do or say for Greece, whose woes now suddenly lie so heavy on their hearts ? When did they ever take her name upon their lips save in connection with "the attitude of the English government" and for the purpose of appeal to vulgar prejudice and the fanning of animosity against "our hereditary foe" ?

Lord Salisbury is not England, and no particular day or year is human history. A great measure, a great principle, not for to-day and to-morrow, but for history and the future, was submitted to the Senate, and the Senate was not equal to it ; the controlling minority was false to the high traditions and high call of the American people, and by its act the Republic has been garbed as a traitor to the cause of progress and of human hope. Let there not be shuffling — guilty, weak refuge in talk of things not before the Senate and not before the country or the world, talk of "alliances." No "alliance" of America with England or with any other country is possible or is dreamed of by any American. No friend of the arbitration treaty ever propounded or desired it. No senators ever believed it or ever believed that any government or any people in the world suspected it. There may be hardening of the heart among the senators, but there is no such softening of the brain.

It was no question of "alliance" with which the Senate had to



deal ; it was the question of international arbitration. Will the American Republic plant itself firmly upon the principle of arbitration, declaring that the time has come when all international disputes, like all community and personal disputes, shall be settled by the methods of reason instead of by force, by the courts instead of by the cannon or the fist? Will we make a beginning, with the one people that is willing to make a beginning with us? Welcome, France, welcome, Spain, welcome, Germany, welcome, every nation, to the blessed bond, whenever you will. But will we make a beginning, since there must be a beginning somewhere if the policy of peace is ever to supplant the policy of war, with the English people, the one people as yet willing to make a beginning with us? That was the question, the simple, single question, submitted to the American Senate ; and the Senate, by its controlling minority, answered No.

It was a minority which answered No, — let all the world know that. Twenty-six men answered No. Forty-three men answered Yes — the Everlasting Yes, which shall continue to sound on until it triumphs and unites the world. Of the nineteen men who did not respond making the Senate's eighty-eight, it is written that seven would have voted Yes, and four would have voted No. The minority which voted No, barely a number large enough to defeat the treaty, would, did senators like representatives stand for populations, have been a vastly smaller minority, and the treaty would have been emphatically ratified. Ten of the twenty-six senators, from the five states of Idaho, Montana, Nevada, and North and South Dakota, represent a combined population smaller than that of either of the cities of New York, Chicago, Philadelphia, or Brooklyn. Nevada, with the same power in the Senate as the largest state in the Union, has a population (60,000) less than that of Worcester or Lowell or Fall River or Cambridge in Massachusetts. These were the states which blocked civilization and covered the Republic with shame before the world. Hardly one of the great states was found in the bad column. The state of William Penn alone among these — "by merit raised to that bad eminence" — was found casting both its votes against the principle of which Penn was the first great champion. To the glory of New England be it ever remembered that not one of her twelve senators voted No.

This minority of the Senate, representing a vastly smaller proportion of the population of the country, represents a still smaller minority of the character and ability of the Senate. There is not one great name in all the twenty-six, only two or three well-known names, not one conspicuously identified with any great measure or movement for the welfare of the country or of mankind. All the strong names, Allison, Hale, Hoar, Hawley, Morrill, and the rest, the leaders and not the hinderers of the people, the men who speak and act whenever a good word needs to be spoken or a good deed to be done, who have real concern, be it said, about Armenia and about Greece, the men whom America honors and whom the world

knows and honors too, — these names all stand, with the names of the late President and the present President brilliant beside them, in the roll of the Everlasting Yea.

There are some of us who believe that the day of senates altogether, in city, state, and nation, has gone by; that Cromwell and the men of the Commonwealth were wise when they abolished the upper house in England and established a simple legislature of one chamber. We need not discuss that here. Such action, however, as that with which we are here dealing, and much besides in this time, compel the question whether the time has not come for radical reform in the constitution of the Senate, and whether it is just to the high interests entrusted to us to give to states like Utah and Nevada the same power in the Senate, where influence is most concentrated and votes count as nowhere else, which we give to Ohio or New York. About this let men argue and dispute. Meantime let us reflect for our own comfort, and let us fail not to remind the world, that only this constitution of the Senate, which makes it a grossly and grotesquely unrepresentative body, made possible even such a minority vote as that which defeated the arbitration treaty, and that the overwhelming majority of the American people and almost all of the country's intellect and conscience are on the side of peace and reason and the proposed advance.

Our "hereditary foes," the English people, have in their constitution one provision which goes far to make them rivals in real self-government and in democracy even of the Spanish republics of South America, and which it sometimes seems as if we ourselves might adopt with advantage. It is the provision which keeps their government and their legislators always on their good behavior and always subject to marching orders. When a ministry cannot command a majority, then it must lay down office, whether the month be March or May, and a general election may at any time be necessary, even if there was an election last year or last Easter. What makes it necessary is such an expression of public opinion as makes it clear or makes it probable that parliament does not in some great exigency represent the people. The English theory is that parliament does at every moment represent the people and execute its will; and when at any moment it fails to do this or is suspected of not doing it, then it is paralyzed and must be renewed. I do not know that we are in a position in America to recommend the adoption of this democratic feature of the British "despotism"; but I hazard the opinion that, if it were our practice, and senators had not a safe six years before them, but a tenure determined by popular approval, the recent minority against the arbitration treaty would have been much smaller than it was.

America is not New England. It is also New Germany, New Ireland, New Sweden, New Italy, New France. But it is more than this and different from this. America is America, with her own individuality, her own history, her own destiny, and her own duty. We are independent of all, while under obligation to all. To no



country are we under so great obligation as to England. We are chiefly men of English race. England, as no other country, is indeed our mother country, the great giver of our language, our literature, our law, and our dominant political habits and ideas. The mother country has not stood still since her daughter set up her own establishment. Freedom within her borders has still continued to "broaden down." In no country has it broadened down more steadily, more surely, or more sanely. In no other country in Europe to-day are there so many men whose thoughts are so world-wide, whose minds are so full of the future, or whose pity and indignation are so quickly stirred by suffering and wrong at home or abroad. We have had an open field in the century; England has had every encumbrance of entail and tradition. Which in the century has advanced the fastest and the farthest? Which has the most to teach to-day, and which the most to learn?

Never was there a time when the cultivation of community between Americans and Englishmen was so commandingly as now the dictate of patriotism and of humanity. Never have we been taught so humiliatingly or so startlingly as by the barbarous rejection of the arbitration treaty by the Senate, out of "hatred of England" as our "hereditary foe," the mischief of that hereditary ignorance to which the pitiful feeling is indeed real and that unholy combination of commercial envy and jingoism hankering for a "brush" with our great rival, which simulates and stimulates and harnesses the sentiment for its own damnable ends. This is our national insanity and our national sin; and this is the place where the American devoted to internationalism and the cause of peace and reason among men has to begin his work, as schoolmaster and doctor and moralist. That the arbitration treaty should have been rejected at all was a blot upon the Republic, whose boast it has been to lead the nations in the path of peace; that it should have been rejected, when, had it been a treaty with any other nation it would have been ratified, precisely on grounds which specially commended it to all right-minded men — because it was a treaty with England, — this is disgrace indeed. The nation which indulges towards another an habitual hatred, as well as an habitual fondness, — such are Washington's own solemn words of warning in his Farewell Address, — is a slave, a slave to its animosity, which is sufficient to lead it astray from its interest and from its duty. By that slavish animosity the nation has been led astray in the day of Cleveland and Richard Olney, as it was almost led astray in the day of Washington and John Jay.

The greatest opportunity of the century, the greatest opportunity in history, has been offered us to join in emphasizing to the nations the principle of international law and order and to help realize the dream of William Penn and Immanuel Kant, which senators play with to point their periods, of the federation of the world. We have been betrayed, and the Republic stands before the world to-day as the thing which it is not. The rejection of the arbitration treaty leaves America in little danger of war with England ever; America

and England are too far along for that. But it leaves America false to England and false to her great obligations to mankind. It should rouse every American to a sense of his kingship and nerve him to its exercise. Ours is not a government by senate, but a government by public opinion, to which senators bow. To the creation of that government every pulpit and platform and newspaper, every teacher of the people, every thinking man and woman, may contribute. Let that creation and reform go on with new discernment and with new devotion; go on until the Republic's other name is righteousness, and until the nations of the world become the kingdom of our God.

REV. DR. JULIUS E. GRAMMER of Baltimore offered the following resolutions, which were, under the standing rule, referred to the Business Committee without discussion :

*Resolved*, That this Conference most cordially appreciates the expression of the hope made by the Secretary of War of the United States at the recent dedication of the Battle Monument at West Point, when he said : " It is the fond hope of the best minds of every land that the time may come — and that in the near future — when armed forces in the field shall no longer be required, when all differences between nations shall be settled by the benign influences of man's best judgment, and that arbitration shall be substituted for artillery, musketry, and the sabre. . . . May we then hope, the soldier equally with the civilian, that the day will come when with one accord the great nations of the earth shall say : ' Let the bugles sound the truce of God to the world forever.' "

*Resolved*, That this Conference regards it as a most auspicious token of the future advancement of its cause when the head of the military department of our government utters this noble sentiment, and upon " Decoration Day," while we cherish the words carved upon the tomb of General Grant, " Let us have peace," and when we realize more and more, to the glory of God and the joy of man, that

" Peace hath her victories  
No less renowned than those of war."

The Conference then adjourned until the evening.



## Second Session.

Wednesday Evening, June 2, 1897.

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THE Conference was called to order at eight o'clock by the President, Hon. George F. Edmunds, who announced as the subject for the addresses of the session, "Reasons why the Anglo-American Arbitration Treaty was rejected by the Senate of the United States." The first speaker was REV. C. H. PAYNE, D.D., of New York City, who read the following paper:

### THE FAILURE OF THE ARBITRATION TREATY AND ITS LESSONS.

BY REV. C. H. PAYNE, D.D.

In framing a form of government for the United States it was designed that the Upper House of Congress should be composed of men of superior wisdom, honor and dignity, so as to act as a safeguard against hasty and ill-advised legislation. It may justly be said that this purpose in general has been realized. In recent years, however, the feeling has widely prevailed that the United States Senate has been deteriorating. So pronounced has this sentiment been that one of the Senate's oldest and most honored members recently felt called upon to appear in a leading review in defense of that distinguished body.

Viewed in all its relations to the nation and to the civilized world, it is doubtful if any single action of the Senate has ever been so disappointing to the best citizens of the country and so deleterious in its effect upon Christian civilization as its recent rejection of the arbitration treaty. Talleyrand's alleged witty saying concerning a certain action, "It was worse than a crime; it was a blunder," will hardly apply to this conduct of the Senate. It is better, because truer, to say that its action in this important matter was worse than a blunder.

While it is our earnest aim in this Conference to act and speak with becoming wisdom, to bring no railing accusation against dignitaries, to give no needless offense, nevertheless it is not becoming that we should quench convictions or suppress the truth. Since the one great object sought by the representatives of the two greatest Christian nations of the world, *viz.*, the establishment of an arbitration tribunal, has failed for the present, we do well to express our

condemnation of the conduct of those who are responsible for the failure. A too charitable and apologetic attitude toward this action would convict of inconsistency this Conference and the great body of Christian men who urged the adoption of the treaty; it would also rob our contention of reasonableness and destroy its force. A frank statement of facts with becoming expressions of condemnation will, on the other hand, help to open the way for a more successful effort of like import in the future. We strike no pessimistic note to-day, but the truest optimism seeks its goal by the way of truth, and that often compels the recognition of unwelcome facts. We must therefore characterize this action of the Senate

#### I. AS AN ACT OF INJUSTICE TO THE NATION ITSELF.

Undoubtedly there were difficulties confronting the Senate, but these difficulties were by no means insuperable. The language of Sir Frederick Pollock, Professor of Jurisprudence at Oxford, may well be applied to this case: "As for the difficulties, they are of the kind that can be made to look formidable by persons unwilling to move, and can be made to vanish by active goodwill." These difficulties were not as great as those which confronted the framers of our own government in forming a constitution, nor greater than those which any important nation is constantly dealing with. The Monroe Doctrine doubtless presented to many formidable difficulties, but it has been clearly shown by the ablest constitutional lawyers in this country that that doctrine, so dear to the American heart, was in no slightest sense in peril. Indeed, many of the most eminent men in this country, lawyers of high standing, distinguished jurists, senators, and others of great ability, after careful examination of the whole subject with due consideration of all its difficulties and possible consequences, have pronounced the ratification of the treaty to be eminently desirable and safe. To follow the lead of such men as these could not be greatly unwise, and could not in any sense sacrifice the nation's honor or safety.

The action is especially to be lamented as a direct blow to our national honor, since the United States has acquired unequalled influence over the world in all international matters because of its enviable record in a hundred years of diplomacy, during which it has been a party to nearly or quite seventy distinct arbitration agreements. That it should now mar its honorable record and miss its greatest opportunity is cause for national sorrow.

It cannot be denied that this action is directly against the Christian sentiment of the nation. The United States is a Christian nation, historically, traditionally, fundamentally. Christianity has long been recognized as the common law of the land. It is wrought into the very warp and woof of the nation's being. There are twenty-five millions of communicants in the Christian churches of the country. This action of the Senate offends the Christian sense of



this vast body of Christian citizens. Its legitimate influence is to blunt the nation's moral sense. In so far as it has influence at all, it has taught the millions of youth in our public schools and higher institutions of learning to cultivate distrust and hatred of other nations rather than fraternal goodwill.

It is an injustice and a wrong to the nation in respect to its material interests. In an interview published in the *New York Mail and Express*, May 24, Nathaniel Paige, a distinguished citizen of this country who has traveled largely in other lands, is reported to have said: "The failure of the arbitration treaty has hurt American interests abroad very materially. A director of the Bank of England told me just before I sailed that the Senate's action would make a difference of a thousand million dollars to the United States during the five years which the treaty covered. In other words, European investments would be that much less. Mr. George Smith, whom everybody in London knows, said to me that he regarded that estimate as well within the facts. As an American I cannot help feeling that the Senate has done an irreparable injury. It is the more amazing to me that the Senate has taken this action when I learn, as I have since my arrival, that business still lags in this country." The country is suffering from almost unparalleled financial depression. Thousands of citizens are without work. Every interest languishes. The great benevolent enterprises of the church suffer. The clamor everywhere is for money, more money. It is confidently affirmed by those in a position to know that one of the chief causes of the treaty's defeat was the silver interest itself, and the consequent antagonism to England because of her adherence to the gold standard. Yet, notwithstanding all this stress and stringency, the Senate stops the flow of a thousand million dollars into the suffering nation. That money would have given a new impulse to the languishing business of the country that would have furnished employment to millions of idle hands; but a false pride, and, it is to be feared, an unworthy dislike of a sister nation, blinded senatorial eyes alike to national honor and national interest, to the public conscience, to the Christian sense, and to the financial prosperity of seventy millions of people.

## II. THIS ACTION WAS AN OFFENSE AND A WRONG TO UNITED CHRISTENDOM.

Wherever the Gospel of Peace has been published, higher standards of national conduct and higher sentiments among citizens have prevailed. Christianity has consistently and persistently pressed the claims of the "higher law." Self-interest and the baser passions of man have constantly waged warfare with the higher teachings of the Christian faith; hence everywhere throughout the Christian world there has been and still is a fierce conflict. The signing of the arbitration treaty by the two foremost nations of Christendom formed an

occasion when, by the Senate's approval, every contest between right and wrong, between the better and the baser elements throughout the world, might have been made easier; every nation might have been helped in its struggle upward. But instead of this action, which would have heralded a better day for the race, the Senate has smitten the best element in every Christian nation, and has helped to perpetuate the horrors of war.

### III. IN A STILL BROADER SENSE IT MAY RIGHTLY BE CHARACTERIZED AS A WRONG DONE TO HUMANITY.

This decision still leaves disputes between the most advanced Christian nations to the possible arbitrament of war, and war is the firm ally of might and not of right. It is often the servant of oppression, seldom of justice. Now and then in the history of the world freedom has won victories by arms, but oftener far has tyranny been the winner. In the last of the world's long bloody list of wars Turkey wins and not Greece. Our great free nation should stand for liberty, for equality, for humanity, for right, and not for might. She should lose no opportunity to promote the world's progress toward universal freedom. It is sad indeed that our Senate when the crisis hour came should practically cast its vote for the reign of might rather than of right, for the chances of battle rather than the supremacy of reason.

### IV. THE GREATNESS OF THE WRONG IS EMPHASIZED BY THE GREATNESS OF THE OPPORTUNITY.

Never before in the march of the ages had such an opportunity arisen. Never before had a treaty so full of promise for the future been agreed to by such distinguished governments. The bells of time were about to ring in the twentieth century. Christianity had been steadily winning her victories through all these Christian centuries. Bands of Christian missionaries girdled the world. The great nations of earth were in a condition of restlessness and anxiety, fearing an outbreak of the smothered war spirit, fearing, yet hoping, for a happier adjustment than war would bring. Millions of Christian believers the world over were praying for truer methods of settling disputes than by force; praying that the ceaseless wrangling of the nations, constantly engendering hatred, might come to a peaceful end. In this crisis hour in the history of the world, the two foremost Christian nations of the earth, through their distinguished representatives, concluded the treaty, providing an international tribunal for the peaceful adjustment of international questions. The world looks on with kindling hope. At last a better day is about to dawn. The heart of Christendom beats with high expectations. In this hour of prayerful interest and strong desire and earnest hope,



the United States Senate begins its grave task, — a task of greater solemnity and greater sublimity than any it had assumed for many a decade. The country hopes and prays that it will honor itself and honor the nation by a speedy ratification of the treaty. But, alas ! it is doomed to disappointment. The Senate objects and amends, eliminating the most vital points in the treaty, and at length seals its doom by a negative vote. The hopes of the nation and of Christendom and of humanity for the immediate dawn of a new and more decidedly Christian era are blasted. Had the Senate promptly ratified this treaty, the nation would have taken the highest rank in the Christian world. America and England would have shown the true Christian spirit, and would thus have strengthened the bonds of friendliness and goodwill. The other nations would have been happily influenced by the noble example, and would doubtless have followed that example to a better destiny. The whole world would have felt a new impulse toward a brighter future, and the Kingdom of Christ would have made rapid advances toward its final establishment. For all these benisons of infinite worth the nations must now wait; how long, we know not, but surely if while we wait we also watch and work and pray, the glad day of promise cannot tarry long. The failure of the Senate to measure up to the greatness of the occasion and to meet the demands of the hour will set the American people to thinking, and may well teach the nation some valuable lessons.

1. It ought to teach us the folly and the sin of committing a Christian nation to action that is not based on reason. If we ask why the Senate rejected the treaty, the paucity and the weakness of the reasons given are surprising. What are those reasons? The history and attitude of Great Britain as seen through American eyes; Great Britain's treatment of Ireland; her grasping disposition and imperial policy; her royal equipment, with Throne and House of Lords, and other paraphernalia distasteful to Americans; the thought that she may in some way find it to her advantage in dealing with other nations to enter into such a treaty with the United States; the dislike, especially in the South and West, of her adherence to the gold standard and opposition to free silver. Not one of these reasons will stand the light of serious consideration.

As if the prime question to be considered in our national legislation were England's worthiness or unworthiness and not our own duty ! Of course we do not all of us, and possibly very few of us, like many things about the mother country, from the treatment of our fathers a century and a quarter ago down to the conduct of her Prime Minister of to-day. But all this is irrelevant. The one supreme question is: Shall the United States government do right irrespective of England's unworthiness or England's advantage? That question this government must settle, and I believe *will* settle before many years, and settle in the interests of peace and the interests of humanity.

2. It will give new significance and emphasis to the question whether it may not be better for *senators to be elected directly by the*

*people.* There is an increasing feeling that the Senate does not reflect the opinion of the people nor sufficiently execute their wishes; that it is too far removed from the heart of the nation.

3. It emphasizes the lesson that *Christian sentiment must find more positive and fitting expression* in tangible form than it has heretofore had. This sentiment is altogether too latent, too uninfluential; it must be infused into society, incarnated in business, incorporated into law, embodied in government. The Kingdom of Heaven will not come on this earth until the principles of Christianity are embodied in all actual forms of society and government; and this will not be until Christian men so decree. A Christian state must no longer be a vague ideal, but a goal of practical endeavor. The events of the last few months have made the so-called Christian Powers of Europe a byword and a reproach. The conduct of the nominal Christian Powers in respect to the unparalleled outrages committed by the Turks upon the Armenians, and later their vacillating course in respect to Turkey and Greece have done more to make the world's lookers-on infidels than the true Christian church can counteract in decades to come. It is time that we had a type of Christianity in harmony with that given to the world by Christ himself. The church must cease to regard its only mission as a mission to individuals. Such a mission it has, which it must never repudiate; but it is quite time that it began more clearly to discern that it has an imperative duty to put the Christian spirit and Christian practice into the whole social and governmental structure.

4. And this calls for a higher type of *Christian citizenship*. We shall do well if we learn that the Christian man must be a Christian citizen. Unfortunately, there are too many good men that are poor citizens. The Christian citizen has an imperative duty to society, to the state, to humanity. One of the most sacred instruments which he wields to-day is the ballot, and that instrument should always be wielded in the interests of Christ's Kingdom. The influence of every man upon the whole structure of society is immeasurable. That influence ought always to be made as effective as possible on every question affecting the welfare of mankind. If every Christian citizen had helped to pour in upon the United States Senate a stream of letters and urgent appeals, it hardly seems possible that those senators would have thus defied the Christian sentiment of the country. Much I know was done; more might have been done by individual citizens and by the religious press and religious bodies.

But what can now be done? We must make the men who misrepresented the nation feel the greatness of their offense. We must use every influence to have in all our legislative bodies men of truest mold and firmest Christian fiber. We must mold and vitalize public opinion. It is undoubtedly true that there is to-day too much Anglo-phobia and too general indifference to great national questions. There is a broad and needy field to be cultivated, and every Christian citizen must do his best to cultivate it.



But we are not without hope. Underneath the warlike surface aspect of society there is a strong undercurrent of Christian sentiment that makes for righteousness and peace. On that stately structure at Riverside Park, overlooking the peaceful Hudson, recently erected to the memory of General Grant, is inscribed the memorable saying, "Let us have peace." Very significant indeed are these weighty words in such conspicuous display and in such relations. It is a costly mausoleum of the greatest military hero of the nation. In seeking to place upon this shrine, to which not only the whole nation but the entire world will make pilgrimages through future years, the most impressive and significant motto at command, a great warrior's aspiration for peace is selected, and the majestic utterance of the mighty man of war, "Let us have peace," in bold letters on the massive tomb, will continue for centuries to come to teach the pricelessness of peace. The selection of this legend shows that the heart of the nation is right. No greater tribute to peace could possibly be shown. Let us cherish hope that the day is not far distant when nations shall learn war no more.

MR. EDMUNDS: The next speaker to whom we are to have the pleasure to listen is JUDGE ALDEN CHESTER of the Supreme Court of New York.

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#### ADDRESS OF JUDGE ALDEN CHESTER.

*Mr. President,* — I think that we should not be too much inclined to be critical of the Senate because of its recent action, which we all regret. After listening to the remarks of our distinguished president, Judge Edmunds, this morning, in which he clearly outlined the reasons which undoubtedly led to this action, we can at least ascribe honest motives to those members of the Senate who voted with the minority upon this question. I do not believe this Conference should take upon itself, because of this adverse vote, the responsibility of abolishing or even of reorganizing the Senate; nor should it be diverted from the main question it has met to discuss by proposing constitutional amendments making substantial changes in our system of government with a view to minimizing the power and influence of the Senate. I, for one, believe that this branch of our national legislature was the outcome of great wisdom and foresight on the part of the fathers. The Senate is a part of the treaty-making power and it had the right under the constitution to take the action it did. We should not be too much discouraged by its rejection of the treaty, but should rather take courage from the fact that a very large majority of the Senate was in favor of the treaty, and that but a small minority was against it.

The treaty itself was not what we all would desire. Many of us believe that it should have been along broader lines, that it should

have had a much larger and wider scope, and that it should have provided for a tribunal to which any international controversy could have been submitted upon consent of the Powers interested.

I was for many years an active member, and am now an honorary member, of the New York State Bar Association, whose action concerning international arbitration has been alluded to in the Conference; but as I had no part in that action I may with propriety mention it further and commend it. You will remember that, upwards of a year ago, after a very marked address before the Association by our distinguished citizen, Chauncey M. Depew, containing many thoughtful suggestions upon the subject of international arbitration, the Association appointed a committee to consider the question. The committee appointed a sub-committee of two able lawyers of our state. Hon. Walter S. Logan, whom you heard last year with so much interest, was one of them; the other is with us to-night, the Honorable W. Martin Jones of Rochester. While Mr. Logan is entitled to great credit for his services in the matter, the principal labors upon the scheme outlined by them, as I happen to know, devolved upon Mr. Jones, who was specially qualified for the task by reason of his long service under Secretary Seward in the Department of State, as Chief of the Consular Bureau, and of his more recent and extended study of international law. The sub-committee presented a report which was adopted by the Bar Association and which has been extensively circulated and commented upon. It outlined a scheme for a permanent international court, to have in charge the adjustment of international differences between such independent Powers, whether represented in the court or not, as might voluntarily submit their differences to the tribunal and agree in advance to abide by the result. The scheme, it will be seen, was much broader than the one acted upon by the Senate recently; it took in its grasp nine great Powers, including in that number four republics, while the scheme that has just been rejected was between one republic and one monarchical government and was confined to a limited class of questions. It seems to me that when this movement broadens out along wider and possibly some different lines it will be more likely to result in success, as public sentiment is rapidly developing and maturing, in many widely separated countries, in favor of the general principle of arbitration of all international disputes.

The agitation over the treaty rejected has not, however, been without its beneficial results. I believe that to-day, if a specific case of international difference between this and any other country should arise and be presented to the Senate, it would gladly accept an opportunity to refer the matter to arbitration. I do not believe that the rejection of the treaty with Great Britain can fairly be looked upon as a precedent that would stand in the way of the Senate, even as now constituted, giving its approval to the idea and accepting the principle of arbitration of any specific question that might now arise. This whole matter has been the means of much



education upon the subject throughout the country and throughout the world, and I believe that when the matter shall come up again, as it undoubtedly will in the not very distant future, the Senate may be looked to hopefully, and that the outcome will be different from that with reference to the treaty that has been rejected. So I say, let us look forward with hope and take courage for ourselves in relation to this whole subject.

JUDGE EDMUNDS: The Chairman might add, in connection with the interesting observations of Judge Chester, that there is very good reason to believe that of the states represented by the twenty-six senators, at least eight or nine possess populations which, had the matter been submitted to a popular vote, would have sustained their senators. The trouble with the Senate is not its constitution, for it is a good one. It is not the personal character of the gentlemen constituting it, which is as good as that of any other ninety men in the world, take them all together. The trouble is that the senators of the United States are just as much in touch with the sentiment of the voting forces of their states as your constables and aldermen and representatives in Congress are, precisely. When you have educated the public opinion of eight states that I can name up to the same point, be it a good one or a bad one, that possesses the people of New York and the people of New England and the people of many of the Western states and some of the Southern ones, then you will have a Senate that will give you an almost unanimous vote.

We are to have the pleasure next to listen to my long-time friend, a former resident of the state and graduate of the university of Vermont, the HONORABLE JOHN I. GILBERT of Malone, N. Y.

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### ADDRESS OF HON. JOHN I. GILBERT.

*Mr. President, and Friends of the reign of reason as against the reign of force,* — I sympathize in regard to the Senate with the views expressed by my friend Judge Chester and with all who hope for the establishment in some way of a permanent international court always open for the adjudication of controversies between nations. I will try to state in a very brief way some removable obstacles in the way of immediate success, which occur to me as obtaining in the present condition of affairs. For this is a conference; we all have a common faith in a common destiny, but how to reach it is the question. What obstacles have we encountered which we might remove so as to give us promise of better success next time?

I was impressed this morning with three or four words in the chapter which was read by our host: "The glorious majesty of thy kingdom." What a conception! We are here working for one



branch of those influences and forces which are to eventuate in the establishment of that glorious kingdom. But how has that kingdom gone forward in the world? Very slowly, very haltingly; we in our present disappointment are but taking the course of nature. The daily procession of the seasons does not keep step with the almanac; the rivers do not take a direct course to the sea; and great moral movements and reforms do not go unhindered to their glorious consummations.

It is well to bear in mind that these very obstructions have been necessary to the progress of reforms. The infidel has been, in the long run, the friend of the true faith, for men have been compelled by him to think, to reëxamine the foundations of their faith. I think we may profit in the same way.

One removable obstacle in the way of success was this: There were men in the Senate who had serious doubt as to whether the proposed treaty was altogether wise, or was a sufficient solution of the great problem which these two countries had to solve. Among other things, there was serious doubt whether the ratification of the treaty, worded as it was, might not give rise to unexpected and embarrassing questions which would themselves lead to complications and difficulties more serious than those which it was sought to avoid. Then there were those who questioned seriously whether or not, instead of creating a general and permanent tribunal, it might not, in the present state of intelligence and of public sentiment, be better to provide a tribunal for each particular case of controversy as it might arise. And I think that possibly the very advocacy of the ardent friends of arbitration may have created a prejudice in the minds of the senators. I think some of them felt that the people were ignoring them as a deliberative part of the treaty-making power, and regarding them as if all they had to do was to say yes. Some senators who voted for it, and will vote for it again, felt that it was a matter requiring the most careful and thorough investigation as to every line and word of the treaty. Senator Edmunds will recall that it was said, in regard to the British statute of frauds, that every word in it had cost thousands of pounds in controversies in the courts. So people approaching the treaty from different points of view might put very different and conflicting constructions upon it. Then they had to consider whether or not it should be broader in its scope and application; whether it should be confined to the two English-speaking peoples or whether the other nations who have made advances in the direction of international arbitration should not have been included in it. These were serious questions, not to be answered on the spur of the moment. If I were a member of that body I would wait, I would deliberate, I would discuss, and see what contingencies might arise in the future. Much as I was disappointed at the failure of the treaty, I am by no means sure that it is not better for the cause of international justice and peace and law that there should have been a delay, in order that the Senate may reinvestigate the foundations, and decide more maturely upon the

methods most likely to produce the desired result. I have faith that such will be the event.

There is another thing to be considered. Are the people of this country sufficiently enlightened; are the constituencies of these senators — whether of the twenty-six or the forty-three — sufficiently educated upon the subject to make with sufficient emphasis the demand for the ratification of this or some other treaty? I believe that one of the things for us to do during the next twelve months will be, not to denounce anybody, but to enlighten everybody. And we ourselves shall understand it better. If I should put the question here to-night, “How many of you believe in the reign of reason and law and justice and the establishment of fraternal peace on the earth?” every one would respond, as if moved by a common electrical current of thought, aspiration, and purpose. But if I should follow it up by asking, “How many of you feel confident that you can wisely solve the problem for the years to come; can tell what should be the scope of the tribunal, how constituted, what the methods of its procedure?” I imagine very few would respond. We want more time. Let us use the time for the enlightenment of public opinion, for the clarifying and development of our own views as to the practical methods of accomplishing the great result.

I think we can all draw inspiration from that passage which I have quoted: “The glorious majesty of thy kingdom.” I like to think that we are interested in promoting it. We are citizens of that kingdom; we want all the inhabitants of the world to become citizens of that kingdom, and to come together in the spirit of fraternal love and mutual regard. Then indeed shall have arisen that day toward which we are looking with such eager and earnest and hopeful longings.

MR. EDMUNDS: We are to have the pleasure of listening to remarks by the HONORABLE GEORGE S. HALE, who needs no introduction to those of this Conference who were here last year.

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#### ADDRESS OF HON. GEORGE S. HALE.

*Mr. President, Ladies and Gentlemen of the Conference,* — The misfortune of yesterday is the stepping-stone to to-morrow's success. Without difficulty there can be no struggle; without struggle there can be no progress; without progress there can be no victory. Therefore I do not regret, but rejoice, that, like every other good cause that ever had its struggle and its difficulty and its progress, ours has that which consecrates and advances it.

It is our object this evening to consider what have been the causes of stumbling and the rocks of offense which have stayed our



progress hitherto. Upon this subject I have no hesitation in endeavoring to be independent. I had the honor at our last meeting of telling you what I thought was the great obstacle to our hope for success; I venture to tell you now that I think that was, and is, the obstacle, and that what I ventured to suggest then is still something which I may properly continue to suggest. I then reminded you — and I shall have no hesitation in quoting myself since I then quoted the sacred book — that the wise course in politics was that announced and recommended by the Saviour: “If thy brother shall trespass against thee, go and tell him his fault between thee and him alone. If he shall hear thee, thou hast gained thy brother. But if he will not hear thee, then take with thee one or two more that in the mouth of two or three witnesses every word may be established. And if he shall neglect to hear them, tell it unto the church; but if he neglect to hear the church, let him be to thee as a heathen man and a publican.” As I explained it then, let him suffer the boycott of the world if he disregards the adjudication of honest and impartial tribunals.

I suggested then that there should be some effort to prevent the danger that the great Powers would never consent to submit to the final determination of any body of men, however high in reputation, superior in ability, or honored for whatever they had done, great questions of political importance. It seems to me it is that which has wrecked our treaty. If you will trace and endeavor to explain the objections which step after step have been presented to it, you will find that they were largely, in substance and in character, objections to the binding nature of the plan that was submitted to them. Limitations of that kind were made by the negotiators themselves. In the treaty itself you will find an attempt to limit the submission of great questions of a political character to a tribunal which should be beforehand uncertain or whose make-up might be unknown. You will find that the amendments proposed in the Senate are still and steadily of that character. I cannot delay to enumerate them all to you now. Remember, first, the proposal that no arbitration should be made in a single instance — even if the court were all created and established and its doors open waiting for the applicant — without the approval of the Senate; further, that all questions of domestic and foreign policy should be excluded; that no territorial claims should be submitted. My proposition is that, while you should not exchange your proposals for an arbitration, while you should throw open your court, while you should select your judges, while you should place above the entrance the sign, “Justice among Nations Administered Here,” you should say to them, “We do not insist that you shall come here with bowed heads submissive to any declaration that we may make. We rather invite you to come here with your differences, as between man and man; to come with the pledge of honor that you will expose to us every fact and all the evidence which is in your secret archives as well as in the pigeon-holes of your lawyers; that you will then, having presented to us

what you claim, what you know, what you believe, invite us to recommend to you as honorable men what you ought to do."

Can any man or woman here present believe that after such a hearing, before such a tribunal, with such a decision, there ever would be a moment's doubt as to the result of such advice,—advice dictated by a conciliatory spirit, dictated by a desire for justice, not dictated by a desire for the exercise of power, but with the consciousness that any recommendation thus presented must be supported, not only by the *ipse dixit* of a tribunal, but be such that it could meet the inspection and obtain the support of the whole judging world? Can any man doubt that such a recommendation would have even more force than the mere obligation of a binding award? Who can doubt that men would pause and think, and that the enemy who finally refused to accept such a recommendation would, by the boycott of the world, be made a heathen man and a publican? Does any man doubt that a tidal wave of public opinion would sweep away any opposition to a judgment thus conceived and thus supported?

There are some objections, I admit, some difficulties which we shall meet with, which perhaps never can be removed until a tidal wave of public opinion shall sweep over us all. Some states will harden their G's; some states will mind their P's and Q's. But those things must be left to the exercise of an enlightened public opinion and to the general result of the influence of such bodies and such men and such women as I see before me operating in their several spheres, and operating with a greater power than the Senate or the House of Representatives of the United States can ever exercise in the administration of their duties as they see fit to perform them. I say then, finally, my recommendation would be: Insist upon your treaty, insist upon your court, insist upon the opportunity for final and decisive arbitration. But open the door to those timid senators who were so much afraid that England would get the advantage of them. Let them feel that when the award was made they might set it by, turn aside, and refuse to obey it, if they so desired. Give them that solution, invite them in with that protection, and see if the result is not as decisive and even more desirable than it would be under an attempt to compel them.

MR. EDMUNDS: We are next to have the pleasure of listening to the HONORABLE W. MARTIN JONES of New York.

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#### ADDRESS OF HON. W. MARTIN JONES.

*Mr. President, Ladies and Gentlemen,*—I am here to-night as a much disappointed man. I had fondly thought that, ere this, we should have the ratification of the treaty that was so happily negotiated between the representatives of the two English-speaking nations.



And yet I am not here for the purpose of criticising those who are responsible for the result that has been attained. We must at least learn charity; every man is entitled to his own opinion, and if he is placed in a position of responsibility he ought to exercise that responsibility with a conscientious attempt to discharge his duties as they ought to be done. It will gain us nothing to criticise those who are responsible for the rejection of this treaty. It was a great mistake; we have taken a step backward; but I do not think that we have gone back where we were a year ago.

We must not forget that since you met here a year ago, since the Conference met in Washington in April, 1896, we have had one treaty at least that has solved a very important problem. We ought to take courage that we, as representatives of a sentiment in this country that believes in the peaceful solution of great questions, have accomplished as much as this. It was the result, I believe, of such work as is being done here to-night, of such work as was done by the New York State Bar Association. The committee of that Association (my friend Senator Gilbert was an active member of it) did hard work; some of you are familiar with the proposition that they made, and it has been referred to here on several occasions. We in New York State rejoice that the treaty that has been negotiated, by which a court of arbitration is created to decide the great question that at one moment threatened to involve this country in a bloody war with the mother country, was largely based upon the plan that was laid out by the New York State Bar Association. We rejoice also in the fact that the treaty that has been defeated was partly planned upon the suggestions made by that committee. We are proud of that; but we look back upon the work, and we simply say this in respect to the people who have been opposing this treaty, that they did not know what they did. They do not understand the conditions that are existing to-day.

I wish I might be privileged to give you in detail a long and pleasant conversation that I had with the representative of the English nation who negotiated this treaty, Sir Julian Pauncefoot; but I am not at liberty to go into that conversation, which was personal and confidential. I may go so far, however, as to say that if there is one man in the world who sincerely regrets the outcome of the action of the Senate upon the treaty that had been so happily arranged between the two countries, that man is he who represents Her Majesty's government in Washington. This is not from any feeling that his nation was to be especially benefited by it, but from the feeling you possess, and that we all understand, that it was a thing that ought to be done, a great stride forward in the civilization of the world, and that it would be ratified if the people on this side of the ocean could fairly and honestly understand the sentiment entertained for us by the people on the other side. I believe that to be the fact. My intercourse with people across the ocean has been such that I am able to say something of the feeling that prevails there. There is no one who takes greater pride in the achievements of the "Yankee nation,"

as it is sometimes called, than those same people across the sea, the people of the British Islands.

What we seek is to bring about a better feeling between these two countries. We are the only English-speaking nations in the world; we are all there are of the Anglo-Saxon race. Do you regret to see advances made by Great Britain, our mother country, in preference to such advances by some Latin race? Would you prefer that Russia should gain a foothold in Eastern Europe instead of Great Britain? Would you prefer that Germany should advance in the civilization of the world instead of Great Britain? I am just English enough to rejoice in the success of Great Britain. I was born here, but I remember that my ancestors helped to win battles in Great Britain, have helped to spread the English civilization around the world; and I rejoice in English success. And I say to you to-night that the Englishman rejoices in the success of the American as heartily as we can in their success.

There has been a good deal said about what we ought to do, and how we ought to make a treaty. I do not think that comes into the discussion of this evening, and yet I will just say this: The treaty that was negotiated aimed at too little or too much. And while I say this, I still would have held up both hands for it if I could, and I do not believe there was any attempt on the part of Great Britain to gain any advantage over us.

Mr. Hale has quoted to you the words of Mr. Logan about our proposition. Mr. Logan and I went over all the ground, and traveled back and forth in the effort to determine what sort of court we should have. For we believed, with that great soldier who sleeps at Riverside, that "there is coming a time when nations will go into court and submit their differences," as states do in the American Union to-day, and as individuals do in the several courts of our states. As we looked over the ground we said, in a joking way, that we should have a court which would "hang out its shingle" somewhere in the world, and say, "National Differences Settled Here." That is what we are seeking, and I want to say to you that that time is coming. It may not be that in the closing hours of the nineteenth century we are to see it, though I think we have seen the first steps toward it already. But that is the way all this movement tends. Our faces are to the future, and we are moving. The time will come — your children will see it, and mine, and possibly some of us will live to see that consummation — when courts will be established where nations can come in, file their briefs, make their arguments, have judgment, agree upon their differences, and go out satisfied, because justice which they seek will be administered there. We believed that this treaty, which had been so happily negotiated by Mr. Olney and Lord Salisbury, was the entering wedge, and we too are "edge-of-the-wedge men." When that treaty was signed the 11th of January, we thought the time had come; we were moving to higher ground; and so now we are sadly disappointed. But we have made progress, and we believe still that the next thing to be done —



and I do not believe it will be very long before it is done — is to form another treaty. And let that treaty be either more or less than the treaty that has been rejected.

PRESIDENT JULIUS D. DREHER of Roanoke College, who was next introduced, responded as follows:

### ADDRESS OF PRESIDENT DREHER.

Deeply interested though I am in the cause of arbitration, I have not been able before this to attend a Mohonk Conference on that great question, owing to the fact that the Conferences are held so near the Commencement season of our Southern colleges. Having enjoyed three of the Indian Conferences, I have found it increasingly difficult to decline an invitation to Mohonk. Hence I have "strained a point" to be here at the present Conference.

I regret that I cannot point with pride to the position of the senators from Virginia and other Southern states on this question, as my friend, the Secretary of the Conference, has done with reference to the senators from New England. But I am happy to say that the colleges and universities of the South, like those at the North, are on the right side of the arbitration question.

As I understand it, we have met this evening, not to discuss the merits of arbitration in general, or of the recently proposed Anglo-American treaty in particular, or to express our regrets at the rejection of that treaty by the Senate; but the topic before us is the causes which led to the failure of the Senate to ratify that treaty. In the first place, it may be said that the treaty came before the Senate at an inauspicious time. The attitude first assumed by England with reference to the boundary question in Venezuela, and then the inaction of Great Britain during the Armenian massacres, and the long-delayed intervention in the war between Greece and Turkey, had produced an unfavorable feeling — not to say real distrust — on the part of our people towards the English government. It was particularly unfortunate, also, that the treaty came before the Senate so soon after a heated political campaign, fought mainly on the issue of free coinage of silver. The advocates of "free silver" view with disfavor any closer relations with England, since they believe that our financial legislation is controlled in the interests of that country, which is on the gold basis. It is certainly not a mere coincidence that the silver-producing states were arrayed solidly against the ratification of the proposed treaty, and that so large a majority of the other senators in favor of the free coinage of silver also voted against ratification. In this connection it should also be borne in mind that the stand taken by President Cleveland and his Cabinet in the late presidential campaign intensified the feeling of antagonism on the part of the advocates of free silver against any measure proposed as the crowning act of an administration which they cordially disliked. Whatever weight

may be given to the various arguments against the treaty, I think it may be safely affirmed that had it come before the Senate a year earlier, unembarrassed by these peculiar political or party questions, it would almost certainly have been ratified by an overwhelming majority.

A good deal has been said recently about the hatred felt by Americans towards England. We are told by men like Mr. Depew that such a feeling is pretty general in the United States, and others inform us that this sentiment of ill-will is fostered by the manner in which the Revolutionary War is treated in the histories used in our schools. This reminds me of the criticisms we hear of the histories of our Civil War, some people at the North complaining that these books are too favorable to the South, while many Southern people declare that these same books do the South so great injustice that it is important to have other histories prepared for use in Southern schools. For myself, I cannot believe that there is to any considerable extent a feeling of ill-will among our people towards the English, whom we seldom think of as foreigners, but as our brethren of the great Anglo-Saxon race. Nor do I believe that our school histories incite any feeling of hatred towards England.

It has been said in this Conference that the "old war feeling" in the South was opposed to the treaty. I happen to be a Southerner myself,—a native of South Carolina and an adopted son of Virginia, and I may add also that I am an ex-Confederate soldier, though far from being a veteran in that service. I venture to say that, notwithstanding a little "jingoism" now and then, there is no desire on the part of the Southern people for war; but if war should come in spite of all efforts to the contrary, there would be no lack of loyalty at the South to the old flag. It seems to me that the military spirit is fostered to an unnecessary extent in our country; and although it may be urged that military discipline develops manly character, I cannot repress a sense of sincere regret that so many of the boys of our country are in military schools or under military training. That our government must for years to come maintain a military and a naval academy may be admitted; but it does not seem necessary to place the thousands of young men in our agricultural and mechanical institutions under military regulations and discipline. Still less necessary is it to detail and support army officers, to teach military tactics in private colleges and schools, as is now done to a considerable extent, the government having on its hands a large number of superfluous officers for this purpose. In the South two states, Virginia and South Carolina, support military schools at public expense, and that, too, in the face of the fact that the general government is educating more men at West Point than are needed for all military purposes in our country. In the South there are, I think, more military schools than at the North. As carrying concealed weapons by our boys makes incipient murderers, so military drill under arms, with all the trappings of war, arouses the soldier spirit in young men; and when we add to this the hero worship of our successful generals, the glamour of mili-



tary glory on the pages of history, the long-deferred promotion of so many army officers, and the long-delayed opportunity to win such promotion, we should not be surprised that the war spirit may be so easily aroused, if not created, on occasion in our country, and that it should oppose the ratification of an arbitration treaty.

One of the saddest features of the highest civilization of Europe to-day is the burden of taxation imposed to maintain great armies and navies, so-called Christian nations strengthening their armaments from year to year to preserve the peace of Europe! How oppressively sad the thought that in the closing years of the nineteenth century, since the coming of Him who was called the "Prince of Peace," men should be taxing their ingenuity to invent more and more deadly weapons for the slaughter of their fellowmen! It seems to me that the chief glory of our country is to be found in the fact that it is so strong in spite of its small army and navy, — strong in the loyal and patriotic devotion of seventy millions of people. I wish that our schools, colleges and universities would inculcate the duty of international arbitration, and that the Christian Church would not only pray "Thy kingdom come," but work unceasingly to realize the full meaning of that beautiful song, "on earth peace, goodwill toward men," which announced the advent of its divine Founder. To that great consummation, so devoutly to be wished, the incoming of the kingdom of peace and righteousness among the nations of the earth, may we not hope and pray that the Mohonk Conferences may contribute their full share!

REV. EDWARD E. HALE offered the following resolution, which was referred to the Business Committee:

*Resolved*, That it is desirable that this country should send a special envoy to Europe, to the several governments of England, France, Italy, Germany, Austria, and Russia, to urge their common consent and union in the forming of an international tribunal, before which could be tried such differences as any of the nations of the world might wish to submit to it.

MR. EDMUNDS: In concluding this very interesting series of addresses, the Chair thinks it right to say that the opposition to the treaty which has been rejected, the real and sincere and patriotic opposition, was thought by those who favored the treaty to rest upon two considerations. The first was that the treaty did not sufficiently describe the things that should not be submitted to arbitration, like the Monroe Doctrine or questions of territory. The answer to that, by the friends of the treaty, in my judgment a most complete and conclusive one, was this: The treaty described the subjects of arbitration inclusively, and therefore, as every lawyer and every scholar and every man of business and common sense knows, everything not included could not be brought forward. If the method had been reversed and a method of exclusion undertaken, then, upon the same principles of law and common sense, everything not named would, by implication, be concluded to have been included. It was

therefore a happy expedient of Mr. Olney and Sir Julian Pauncefote that the form of language was put in that way; it was one of the best points in the detail of the treaty that could have been devised.

The other consideration was that the United States, and so I suppose on the other side,—for there were opponents to this treaty in Great Britain as well as here,—should not commit themselves in advance, by any general form of language, to the unknown determination of a tribunal, that something was included which we did not intend should be, in this general language describing the subjects to which the treaty should relate. The answer to that was, I think, absolutely conclusive that, as every international lawyer knows and every international text-book states and every code of intercourse between nations, when a question arises which one country or the other says it did not intend to submit or does not fairly come within the language of the treaty, that nation is itself the sole responsible and final judge of what is within the jurisdiction of the court, and whether it is right to go on or not.

This is not true as between private persons in civilized states. There all submissions are coercive, and it is the court that decides upon its jurisdiction. But that is never so between nations, and cannot be, until you shall have such a general arbitration scheme among all nations as shall compel the sister nations and enforce the judgment and sustain the jurisdiction of the court, as the judgment of civil tribunals must be enforced. And that, of course, is far away.

An instance of this, which ought to have been perfectly conclusive with the Senate, was in the arbitration respecting the Alabama claims in 1871. There we submitted, believing that we had a clear right to do so under the treaty, our claims for what were called “national losses,”—the general destruction of our commerce, not merely by the guns of the “Alabama” and the other cruisers, but by the fear and commotion which had driven our commerce almost entirely from under the protection of the American flag and had destroyed it as a commercial enterprise. Of course such losses ran into the millions. Her Majesty’s representatives before the great tribunal at Geneva said, “We did not understand the language of the treaty to mean anything outside these definite losses. We shall not go on if you insist upon presenting these claims.” We understood that the language of the treaty justified our position, and it clearly does; but the tribunal knew, and we knew, that Her Majesty’s government had a perfect right to say this. If the language was so clear that she would be boycotted by all respectable nations, that was her affair. It was not so clear as that, but she had a right, upon the principles of international intercourse, to act as she did. We recognized this; and then the arbitrators said that they had considered the matter informally and would mention that, if Great Britain consented to submit that claim to them, they should decide against the United States and in her favor. And so the matter was dropped. This present treaty, then, in spite of the difficulties which honest and patriotic men had about it, contained these two characteristics,—



first, inclusive description, and second, the characteristic which was proved by the fact that we in one instance, and Her Majesty's government in the other, when a difference did arise as to what we should agree to submit, had the right to be the judges of the jurisdiction of the tribunal.

JAMES G. BEEMER of Yonkers presented the following resolutions, which were referred to the Business Committee under the standing order :

*Resolved*, That the Lake Mohonk International Arbitration Conference, in convention assembled, hereby tender to Her Most Gracious Majesty Queen Victoria, on this jubilee occasion, its hearty congratulations on attaining the sixtieth year of her beneficent reign, and its members will ever pray that her life may be long spared and that the blessings of peace and righteousness may prevail throughout her broad realm.

*Resolved*, That the Business Committee be authorized to cable this expression of good will to Her Majesty on behalf of this Conference.

The Conference then adjourned at 10 P.M.

## Third Session.

Thursday Morning, June 3, 1897.

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THE Conference was called to order by the President at ten o'clock, and the order of business for the day was reported.

MR. JOSHUA L. BAILY, the Treasurer of the Conference of 1896, presented his account. It showed that the sum of \$594.40 had been received from contributions, and that \$588.48 had been expended in payment of bill for printing 5000 copies of the proceedings of the Conference, for the services of stenographer, and for telegraphic message sent to President Cleveland, leaving a balance of \$5.92 in the Treasurer's hands.

On motion of Mr. Capen, Mr. Robert Treat Paine was appointed to audit the account.

Upon motion of Mr. Capen, it was voted that the Treasurer be requested to open a subscription for voluntary contributions to pay the expenses of the Conference, and to print the copies of its proceedings.

MR. BAILY stated that he had received many requests during the year for copies of the proceedings of previous Conferences, and had received many letters of acknowledgment. He believed the purpose of the Conference would be well served by the issue of a much larger edition than usual, and that funds for the purpose might well be raised outside of the Conference as well as inside.

MR. SMILEY said that the experience of the Indian Conference would suggest the wisdom of publishing a much larger edition than in previous years, as the early reports would soon become valuable documents in the history of arbitration.

MR. EDWIN GINN moved the appointment by the Chair of a Finance Committee of five persons, to raise funds for the purpose of printing and distributing a large edition of the proceedings. The motion was carried unanimously.

On motion of Mr. Capen, Dr. Trueblood and Mr. Mead were elected a Committee on Publication, to have charge of the editing of the Report of the Conference.



MR. ALFRED H. LOVE of Philadelphia, upon being introduced by the Chairman, exhibited to the members of the Conference two very rare English publications which he had recently received from Dr. Darby of London for the Peace Museum of the Universal Peace Union in Independence Hall, Philadelphia, and which he felt it due to the more than generous host, whose hospitality we were enjoying, to present, as a slight acknowledgment of his gratitude, and he felt sure the members of the Conference would be interested in their perusal. One was "His Majesties Message to both Houses of Parliament April 28th, 1642; concerning his refusal to pass the bill for the Militia." The other was "An Argument shewing that a Standing Army is inconsistent with a free government, and absolutely destructive to the constitution of the English Monarchy," published at London in 1697.

Mr. Love also exhibited, and left upon the table for examination during the Conference, the remarkable Address and Petition for Arbitration to the President of the United States and the Crowned Heads of Europe, originated by the late W. A. Campbell, D.D. It was signed by the representatives of all denominations of Christians throughout the world. There were some 150 signatures representing several millions of church members. The address was as follows:

Grace, Mercy, and Peace :

We in coöperation with other Christian bodies humbly memorialize you, as the guardian of your people, in behalf of peaceful arbitration as a means of settling questions that arise between nations. The spectacle that is presented of Christian nations facing each other with heavy armaments, ready upon provocation to go to war and settle their differences by bloodshed or conquest, is, to say the least, a blot upon the fair name of Christian. We cannot contemplate without the deepest sorrow the horrors of war, involving the reckless sacrifice of human life that should be held sacred; bitter distress in many households, the destruction of valuable property, the hindering of education and religion, and a general demoralizing of the people.

Moreover, the maintaining of a heavy war force, though war be averted, withdraws multitudes from their homes and the useful pursuits of peace, and imposes a heavy tax upon the people for its support. And further let it be borne in mind that wars do not settle causes of disputes between nations on principles of right and justice, but upon the barbaric principle of the triumph of the strongest.

We are encouraged to urge this cause upon your consideration by the fact that much has already been accomplished; as, for example, by the arbitration at Geneva in the Alabama case, and by the deliberations of the American Conference at Washington, not to mention other important cases. It will be a happy day for the world when all international disputes find peaceful solutions, and this we earnestly seek.

As to the method of accomplishing this end, we make no suggestions, but leave that to your superior intelligence and wisdom in matters of state policy.

We invoke upon ruler and people the richest blessings of the Prince of Peace.

MR. LOVE then spoke as follows :

*Mr. Chairman and Good Friends all,*—No one has spoken for Pennsylvania, except to speak of her as being poorly represented in Congress. I find that Hon. George S. Hale will have to transpose

his alphabet in his reference to the "P's and Q's," because he must remember that this time the "P" follows the "Q," and it is a very sad and singular anomaly in our old Quaker state that one of them is half Qua-ker (Quay) and the other is half Penn (Penrose). (Laughter.) It is true that in the western part of my state we have the great armor-plate factory, and in the eastern part of the state, on the placid Delaware, perhaps the greatest shipyard in the country, where they are turning out immense battle ships; but I believe that these do not in any way represent the feeling in Pennsylvania in reference to the Anglo-American treaty of arbitration. Our boards of trade, our churches, nearly all our societies petitioned and prayed for the passage of that treaty, but their representatives in the Senate were deaf to their appeals.

I want now to go a little deeper than some of our learned friends have gone into the causes of defeat, grateful as I am for their conclusions. While I share in the disappointment, I am stimulated to redoubled efforts for the future. I can see that there were reasons why the treaty was defeated to which no allusion has been made. God in his infinite judgment and providence gives us that which we deserve. The stream cannot rise higher than its fountain. I submit that we received all we deserved. I submit that while the Christian church is so generally having boys' military brigades, we cannot expect much more. While schoolhouses over the land are giving military drill to boys, while our representatives in Congress are detailing army officers to instruct the children in the public schools to be soldiers, while our representatives are voting large sums for the army and navy, while they are building immense warships, while they are increasing the coast defenses, while they are trembling for fear of a war with England, and really acting as cowards, afraid to trust justice, truth and righteousness, and using for armaments the money which could be better spent in maintaining an arbitration tribunal, I am not surprised that we have not seen the treaty ratified. Let us look for higher light on this subject, and see if we cannot provide the conditions that will enable us to secure so great a boon from our Father in heaven as the peace which we shall then deserve.

Let us not be so afraid, so jealous, so suspicious of other nations, but be braver and less selfish and more willing to stand by the cause of justice and right through everything. Then an arbitration treaty will be more than a mere paper document.

Millions of silver dollars have been stamped "In God We Trust," and yet we find the so-called "silver men," when they come to the test as to where they should trust in God, vote against that which is godlike.

There is this, however, to gratify and encourage us: Some of those who voted against the treaty are still friends of arbitration. We will not condemn uncharitably. Senator Bacon of Georgia, immediately upon the defeat of the convention, introduced these resolutions:

*Resolved*, That the United States of America deprecate war, and desire the maintenance of peace and friendship throughout the world; and that this desire



is not limited to their relations to any one nation, but extends to their relations with all the nations of the earth, whether the same be great or small, strong or weak.

*Resolved*, That to the end that these relations of peace and amity now happily existing between them and all nations may be perpetually preserved, that wars may be discouraged, and, as far as practicable, made impossible, the United States favor the principle and practice of international arbitration for the settlement of questions in difference between them and any other nations that they may fail to adjust by treaty or diplomatic negotiations.

*Resolved*, That the United States do hereby avow it as their future policy and intention, whenever there shall arise any question in difference between them and any other nation which they may fail to adjust by treaty or diplomatic negotiation, that they shall and will, so far as they can consistently with national honor, the integrity of their territory, and their foreign and domestic policies, submit such question in difference to the arbitrament and final decision of an international court of arbitration. Such court of arbitration shall, in the future as in the past, be constituted by agreement between the parties consenting thereto, with special reference and adaptation to the particular question in difference, and to the conditions then existing.

*Resolved*, That the United States hereby invite all civilized nations to make a corresponding and reciprocal declaration, to the end that wars between nations may cease, and that a universal reign of peace may be inaugurated and perpetually maintained.

This is gratifying, and proves that even among those who voted against the treaty there exists a desire to maintain the principle and practice of arbitration.

Therefore, friends, let us not despair; we are in a great educational movement; we must work to undo the errors of the past and merit the blessings in store for the faithful.

“Heaven is not reached at a single bound,  
But we build the ladder by which we rise  
From the lowly earth to the vaulted skies,  
And we climb to its summit round by round.”

JUDGE EDMUNDS then introduced the subject of the morning: “The Present Status of the Arbitration Movement.” Addresses were made by Hon. Everett P. Wheeler of New York, Rev. H. K. Carroll of New York, Prof. Jean C. Bracq of Vassar College, Rev. W. H. P. Faunce, D.D., of New York, Rev. H. M. Booth, D.D., LL.D., President of Auburn Theological Seminary.

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#### ADDRESS OF HON. EVERETT P. WHEELER.

Coleridge tells us that “on all occasions the beginning should look toward the end, and especially when we offer counsel concerning circumstances of great distress.” We all know that in order to get any clear conception either of our present condition or of our future duty, we must look to the lamp of experience. I fear, therefore, that

it will be difficult for the speakers of this morning to limit themselves strictly to the view of the present, and that we shall be obliged sometimes to look back, and I hope somewhat encouraged to look forward.

I find that the last century has seen eighty arbitrations, to which the different governments of the world have been parties; the nations have thus had some practical experience. There have been many wars during the last century, but let us be thankful that there have been more arbitrations. Let us remember, too, that the Supreme Court of the United States is a great arbitral tribunal, and that, with one exception, controversies between the states of the American Union, which for some purposes are sovereign and independent, have been submitted to that tribunal ever since 1789. There was one dreadful exception, but I am enough of a peace man to be willing to express the feeling that if we could — North and South — have settled those differences amicably, as our mother country was able to settle exactly the same differences with her colonies, it would have been a better thing. Perhaps it was necessary that bloodshed and strife should come at that time. That is not for me to say. However that may be, it has certainly been for the good of this country that, in the many cases between states which have come before the Supreme Court, we should have been able to settle those disputes — some of them affecting the honor of states, some of them touching questions of territory, which some people are so loath to refer to an arbitration tribunal — honorably and to the satisfaction of the contending parties.

That compact in our Constitution was the first instance in the history of the world, so far as I am aware, when states agreed, not merely for a single pending controversy, but for all future time, to submit their differences to an independent tribunal. Precisely what the Constitution of the United States, more than a hundred years ago, did for these thirteen states, we are trying now to accomplish in the great federation of the nations of the world. This arbitration treaty, which was negotiated and signed at Washington on the 11th of January last, and then sent to the Senate of the United States, was an endeavor in the same direction. That treaty and its status is what we are chiefly to consider now. As so much has been said about it, and will necessarily hereafter be said, permit me to read Mr. Cleveland's message to the Senate, which expresses precisely the condition in which that treaty leaves the arbitration movement :

*To the Senate,* — I transmit herewith a treaty for the arbitration of all matters in difference between the United States and Great Britain.

The provisions of the treaty are the result of long and patient deliberation, and represent concessions made by each party for the sake of agreement upon the general scheme.

Though the result reached may not meet the views of the advocates of immediate, unlimited, and irrevocable arbitration of all international controversies, it is, nevertheless, confidently believed that the treaty cannot fail to be everywhere recognized as making a long step in the right direction, and as embodying a practical working plan, by which disputes between the two countries will reach a peaceful adjustment as matter of course and in ordinary routine.



In the initiation of such an important movement it must be expected that some of its features will assume a tentative character looking to a further advance; and yet it is apparent that the treaty which has been formulated not only makes war between the parties to it a remote possibility, but precludes those fears and rumors of war which of themselves too often assume the proportions of a national disaster.

It is eminently fitting, as well as fortunate, that the attempt to accomplish results so beneficent should be initiated by kindred peoples, speaking the same tongue and joined together by all the ties of common traditions, common institutions, and common aspirations. The experiment of substituting civilized methods for brute force as the means of settling international questions of right will thus be tried under the happiest auspices. Its success ought not to be doubtful, and the fact that its ultimate ensuing benefits are not likely to be limited to the two countries immediately concerned should cause it to be promoted all the more eagerly. The examples set and the lesson furnished by the successful operation of this treaty are sure to be felt and taken to heart sooner or later by other nations, and will thus mark the beginning of a new epoch in civilization.

Profoundly impressed as I am, therefore, by the promise of transcendent good which this treaty affords, I do not hesitate to accompany its transmission with an expression of my earnest hope that it may commend itself to the favorable consideration of the Senate.

GROVER CLEVELAND.

EXECUTIVE MANSION, January 11, 1897.

You all remember that in this treaty there were provisions for arbitral tribunals before which questions of minor importance might be determined. Without stopping to consider those, let me draw your attention to the provisions of the sixth article, providing for the arbitration of controversies involving the determination of territorial claims. It is provided that those controversies be submitted to a tribunal composed of six members, three to be judges of the United States courts, and three who shall be judges of the British Supreme Court of Judicature, or of the Judicial Committee of the Privy Council. An award must be made by a majority of five to one to be final. You see what a degree of impartiality that secures. If we were making the claim, it would be necessary for us to convince not only our own judges but two of the British judges in order to make the decision final. And it provides that "in case of an award made by less than the prescribed majority, that shall be final unless either Power shall, within three months after the award has been reported, protest that the same is erroneous, in which case the award shall be of no validity." And then it goes on to provide — and that seems to me one of the most important clauses of the treaty — as follows:

In the event of an award made by less than the prescribed majority, and protested as above provided, or if the members of the arbitral tribunal shall be equally divided, there shall be no recourse to hostile measures of any description until the mediation of one or more friendly Powers has been invited by one or both of the high contracting parties.

That is the agreement which was reached, after the most careful consideration, by two very able and upright men, Sir Julian Pauncefote and Mr. Olney. It met the approval of a very considerable majority of the Senate of the United States as well as of our Presi-

dent, and it met the approval of the British Cabinet. It seems to me that is substantially what we want to stand for now. We may have views in regard to a great international court. I know the New York State Bar Association has made such a recommendation, and not only they, but the Virginia Bar Association and the American Bar Association, composed of delegates from all the states, have united in recommending to our government the adoption of an arbitration treaty, providing for a permanent tribunal. But it is of great importance to us not to waste our power too much at present in the discussion of general and possible schemes. Some of us may have thought, as President Cleveland suggests in his message, that something larger in its scope would be more desirable. But when a measure has been so carefully considered as this, when it has to so large an extent succeeded, it seems to me it is wiser to stand by that. It does embody something which all must admit to be a fair tribunal,—a tribunal carefully considered, and one whose judgment would win, by its own intrinsic weight, the confidence of the two nations represented. And it may fairly be a basis for our labors in the future.

I am the more desirous of impressing this because the danger of conferences like this is that good resolutions may evaporate in smoke. If you burn a pound of coal in the open, it goes up in gas. But if you put it into the furnace of one of the great ocean steamers, it will drive a ton for a mile against the waters of the Atlantic. We ought, as I think, to concentrate our efforts, distinctly and with all the strength and courage that we can command, and in the confidence with which the success of the past may properly fill our breasts. Let us in the future go forward with this distinct object in view, to impress upon the Senate and the people of the United States the advantages, the importance, the necessity of an agreement upon a tribunal of arbitration, to whose judgment, to whose deliberate and conscientious judgment, questions of difference of the greatest magnitude may be referred.

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#### ADDRESS OF H. K. CARROLL, LL.D.

The present condition of the question of international arbitration seems to me to be this: We have lost the treaty which embodied it in good form, but we have not lost the principle. That remains. The Senate in defeating the treaty did not defeat the principle. Indeed it did not even bring it into question. It was a particular form of application of it that was rejected. No senator, so far as we are informed, ventured in the debate in executive session to condemn arbitration as a means of settling international questions that defy diplomacy and invite war. The Olney-Paunceforte convention was sent into that senatorial limbo of departed treaties whence no document ever returns; but the spirit of arbitration lives on and lives



to prevail. We do not doubt that it will ultimately triumph, because it commends itself to human reason.

Nobody contends that the arbitrament of the sword is better than the arbitrament of reason. Men excuse wars sometimes on the ground that they are preferable to dishonor; but no sane man advances the idea that the battlefield is the only place of honor. There was a time in the memory of most of us when the practice of dueling prevailed in sections of this country. Men would settle ordinary disputes in the ordinary way; but when the cause of quarrel affected their honor, as they called it, there was but one way of settling it, and that was by sword or pistol. They must fight until one or the other had fallen. The one who survived the murderous encounter held that he had vindicated his honor. Nations, in the not remote past, were accustomed to vindicate their honor in much the same way; but the argument which makes the duel appear irrational and brutish applies also, with modifications and exceptions, of course, to the fight to the death between nations.

The Senate has not disturbed, I say, the principle of arbitration, nor weakened a single argument which its friends advanced in support of the Anglo-American treaty which so admirably embodied it. Our cause is left to us undefeated, undiminished, and uninjured. I have no doubt that all, or nearly all, of those who voted against it would admit this without hesitation.

Another thing. The defeat of the treaty has not weakened our cause before the country. I think it quite possible that the extent and strength of the public desire for ratification of the treaty was overestimated. I believe the current of opinion set generally in that direction, but much of it was unintelligent and therefore weak. Everybody said arbitration was a good thing in itself, better and more humane than war; but many were not prepared to meet the specious arguments that were advanced against the particular application of it proposed in the treaty. They were easily impressed by the utterances of senators to the effect that it would be dangerous for the United States to ratify this treaty. It would tie our hands and place us completely at the mercy of England, unscrupulous England, ever seeking her own aggrandizement at the expense of others, and absorbed in her own selfish schemes in every quarter of the globe. All the advantages of the proposed convention were on the side of our hereditary foe. She is strong, she is cunning, she is not to be trusted.

These considerations were conclusive to many, because they lacked in their own minds sufficient arguments to overcome them. The appeal for the cause of prejudice was stronger than the appeal for the cause of reason. Others who had a more thorough understanding as to the purpose, scope and safeguards of the treaty were not moved by the attacks against it, and estimated the stalwart Americanism of its opponents at its true value.

It is a hopeful fact that arbitration is in no sense a party question. The parties are not divided on it. Democrats voted for the treaty

and Democrats voted against it. Republicans supported it and Republicans were also found in opposition to it. Neither is it a sectional question. It is not the North on one side and the South on the other; nor is the East divided from the West. Nor is it a sectarian question. The churches are not arrayed on opposite sides. We have therefore no political, sectional, or sectarian prejudices to overcome.

What the present situation demands, it seems to me, is a campaign of education. The question of arbitration may seem to us a very elementary question. The reasons for it crowd upon us, because we are trained in habits of thought; but it is not so with the masses. They need to have all the arguments which are convincing to us given to them again and again, so that they may be thoroughly grounded in them.

I am a member of a benevolent board which administers annually vast sums of money. It is a large body, and it is a picked body of able, intelligent and consecrated men. A suit had been pending between this board and another board of the same church concerning a bequest for a small amount. The decision had not been in our favor, and a request came to us from the other society that a board of arbitrators be appointed, so that the matter might be settled without going to the higher court. This proposition, strange to say, did not meet with unanimous favor. There were those who held that the suit should be prosecuted to the end. When they were reminded that brother should not go to law with brother, and that arbitration was a more Christian as well as a more sensible way of settling the question at issue, the response was that arbitration was a comparatively new method, that it had its difficulties and uncertainties, and that the Anglo-American arbitration treaty, though drawn by two eminent and accomplished statesmen and deemed well-nigh perfect, was found by the Senate to be full of dangerous errors. Let the war in the courts, they said, go on. And so it was decided, though at a subsequent meeting, on an appeal made by an able jurist, the question was sent to arbitration.

I mention this instance to show that the public need a larger and more liberal education in the elementary principles of arbitration.

I think the present situation requires that we go a step further, and show how admirably the principles of arbitration are applied in the rejected treaty. We can hold it up as a model, not perhaps as a perfect model, for it has not been tried, and experience might show that it has defects; but we can treat it as a working model, use it as a sort of object lesson, showing how the best English and American statesmanship approached the problem, how simple the proposed machinery is, and how every critical point is safeguarded. In this connection we can quote from the senators who supported it, and reply to the arguments of those who opposed it.

I think we have a great work to do in fortifying sound public opinion, in making converts from the opposition, and in creating an intelligent interest in the large class of indifferent persons.



## ADDRESS OF PROF. JEAN C. BRACQ.

*Mr. President, Ladies and Gentlemen,* — At the beginning of the eighteenth century, the Abbé de St. Pierre unfolded before the French people a scheme of universal peace and a tribunal of arbitration; but no one took him seriously. A man who held one of the highest positions in France spoke of it as only “the dream of a good man.” Yet to-day the principle is admitted in France by a very large number of people. It is not considered Utopian, but is thought of as a mode of action which, sooner or later, will be recognized and practised by the nations.

I wish to lay stress this morning upon the attitude of the French people toward the peace question. People frequently speak to me of the immense armaments of France. These great armaments arise simply from a desire for security. The French people have voted funds and have made great sacrifices, not for any aggressive purpose, but with the idea of being able to defend their homes against any invader. If you go into French society to-day, you can find very few intelligent men who speak favorably of war. I defy any one to mention, among the remainders of our cabinets (and France has quite a collection of that kind) a minister of state, with one exception, who has been in favor of war; and the one who did advocate war was obliged to cease doing so for fear of losing his popularity. The same may be said of the senators. I think a great deal of the French Senate and of the American Senate also, notwithstanding certain pages of its history. If you eliminate from your political history your Senate, you take away some of the most glorious names in American politics. If you look at our House of Deputies, you cannot find a man who advocates war. If you read the proclamations of our politicians, you will find not a single one who comes before the people without speaking of peace. You can always gauge the wants of a nation by the offers the politicians make them!

The immense armament of France is a part of a great movement. By the side of it there has been a great educational movement. Our expenses for war have been increased one-half since 1870; our expenses for education have increased sixfold. They were twenty-four million francs at the beginning of the Republic; there are now one hundred and fifty million. We have made great sacrifices for secondary education, for the education of women. The scientific development of France has been phenomenal during the last twenty-five years, and the same thing may be said of the artistic life. As I look at this great educational movement, the armament of France is subordinate to this larger expansion of life, to this unfolding of energy in which the arts of peace have prominence.

I have great hopes for the triumph in France of the principles that you represent. But I want to say to this Conference that you have to exercise some tact in presenting them to the French people. And

this leads me to feel not very much dismayed at the rejection of this treaty. While there are intelligent Frenchmen who recognize the greatness and beneficence of English civilization, who know the great philosophical and scientific and literary and religious contribution of England to the civilization of the world, there are others who know what another phase of English civilization means. We remember Nova Scotia, the land of Evangeline; we remember opium in China; we remember the Matabeles who have been mowed down by the Maxim guns of Englishmen; we remember how Madagascar is drowned with English rum; we remember what Englishmen have done in Australia and in other parts of the world, where lower races have been crushed. So if this principle of arbitration is presented to us directly from the United States, it will meet fewer prejudices, and will commend itself to the best intelligence of France, as it would fail to do if presented by Englishmen and Americans together.

The soul of the Abbé de St. Pierre would have been filled with gladness if he had thought of the possibility of such an audience of men as this, representing those principles so dear to his heart. These meetings are very good; agitation is very good. But my idea is that something is to be done along educational lines. The first thing that needs to be done is to shed great light upon the nations that we wish to win to this principle. Do not try to bring the Germans to these principles when they feel that you are unfair in dealing with them; do not go to Frenchmen if they have a sense that you are unjust in dealing with them. I plead, therefore, for a more just appreciation of the ideals of nations. Educators and ministers have a great deal to do in this direction, but there is another class of men who have also a work to do. I have been educated along the line of prejudice against lawyers, and yet of late years I have come to have a growing respect for the profession of the law. I like to be by the side of a great artist who can interpret to me the beauties of nature and make them visible to me. When I heard the presentation of the question by the Chair yesterday morning it seemed to me so perfect that it was in the world of justice what the Venus of Milo is in the world of beauty. The artist is our teacher in the apprehension and interpretation of the beautiful; I think that these lawyers, who have done so much already in this direction, must so educate us as to deepen our sense of justice.

The man who is to me the embodiment of the new men of France, the men made by the Republic, the men who have been brought up in the school of freedom and reason, is Monsieur Hanotaux. No man has been more abused in later days than he has; but I believe that if there is a man who has dealt with the Eastern question in a noble way, it has been this gentleman. Again and again he has said in the French parliament: "War settles nothing." The war between France and Germany settled nothing, and to-day France and Germany are much farther apart than they were before that war. That war did us some good; like all events in this life, it had some consequences where evil was overruled for good; but it has been one of



the most regrettable events of modern history. I believe that my countrymen to-day are ready to accept this great idea; you only need to present it to them. Monsieur Passy, a man admired and respected in France, has done a great deal. I should like to see a man like him at some of your future Conferences, to tell of the work he and others have done in France along this line. France is ready for action in this direction.

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#### ADDRESS OF REV. W. H. P. FAUNCE, D.D.

*Mr. President, Ladies and Gentlemen,*—The moral intensity of this Conference and the limitation of time preclude compliments, and almost force us to “salute no man by the way.” Yet I cannot altogether refrain from expressing my admiration, even if it seem a little presumptuous, for our presiding officer, who during these two days has listened to an almost continuous fusillade against the honorable body of which he was so long one of the most honored members, and has listened with an unfailing courtesy, an unruffled urbanity, and the charity that “suffers long and is kind.” The only thing that I will add about the Senate is to recall the remark of Thomas Jefferson. When asked, “What do you want of a Senate, anyway?” he answered, “What do you want of a saucer with a tea-cup? You want it to cool your tea before you drink it.” I will simply add that our national cooler has so thoroughly served its function that there is some danger lest our international tea should be frozen before we drink it. (Laughter and applause.)

I cannot speak to represent the jurists or the lawyers to-day, but only to represent the great body of the common people, who, however dimly, want to know what is true and to do what is right. For after the jurists have spoken, after the politicians have performed their manœuvres, after the Jingoës have discharged their pulmonary patriotism, after the new journalism has raved and frothed and the powers that be have displayed masterly inactivity, then a question of public policy comes before a larger jury still and a vaster constituency yet,—before the great body of sober-minded American people, who are not busy with their own horoscopes, but who are toiling and hoping and praying for the spread of universal truth, the prevalence of universal righteousness and the reign of universal peace.

Professor Bracq has well said that the war of 1870 settled nothing. We rejoice to hear of the pacific disposition of the leaders of the French nation. And yet it is but a little time since, in the Place de la Concorde, I looked across at the monument of Strasburg draped in black and crowned with wreaths of mourning, and saw Frenchmen clenching their hands with a dangerous gleam in their eyes. A little later I was in the city of Geneva, near the building

where a great treaty was concluded, a great principle laid down, in 1871. That which was settled in 1870 by the bayonet and the mitrailleuse was never more unsettled than now. That which was settled in 1871 by the high consent of puissant nations, that at least was settled forever. Sedan left one nation glutted with prey and the other biding its time. Geneva left two nations, as regards that contention, at peace forevermore. Those who will not learn from such an object lesson, how shall we teach them anything?

We must guard, of course, against extreme statements. We are not among those who cry, "Peace at any price." Because we are strong, because we are not a weak nation, suing for the generosity of some powerful foe, it is ours to lead into peace. We are not among those who claim that war brings no blessings in its train. A great conflagration brings blessings; it gives the firemen admirable opportunity to display their heroism. A great epidemic gives employment to doctors. A Western cyclone furnishes inexhaustible employment for masons and carpenters. War brings blessings, but they are incidental. War brings calamities; they are irremediable, inexorable, and eternal.

Now it seems to me, as has been said this morning, we must begin with England. Our "hatred for England," if you will excuse the paradox, is the proof of our love. As Coleridge says,

"To be wroth with one we love  
Doth work like madness in the brain."

There is no man with whom it is harder to keep from occasional irritation than your own brother. Two notes at opposite ends of the piano never make a discord; it is the two that are adjacent that make the grating dissonance. A quarrel in one's own family is the worst of all quarrels. Because our standard with England is so high, our demand so stringent, our irritation so easy, our feeling so quickly excited, — because of that, we know that these two nations are ancestrally, congenitally and irrevocably united. I saw in a comic paper a while ago a truth spoken in jest. Uncle Sam and John Bull were standing close together and trying to hit each other, and swathing them from head to foot were bands on which were written, "One law, one language, one religion, one blood." And they were too close together to strike.

In Westminster Abbey, side by side with the monument of Chaucer, "the morning-star of English song," stands the monument to Longfellow, who united English culture and American patriotism so well that the children of his brain are in every household in the two nations. There, when, a few years ago, the American Stanley swept up the isle with Dorothy Tennant by his side, he stooped and lifted the crimson carpet that she might lay a chaplet of flowers on the grave of the great English explorer and missionary, Livingstone. And there, beside the monuments of England's kings and queens, is a memorial window to the great American who, alike by his poetry and diplomacy, knit those two nations yet closer, — our poet, ambas-



sador and orator, James Russell Lowell. (Applause.) Now a war between two such nations is monstrous and incredible; and just in proportion a lasting peace is magnificent and sublime. England has now under her control, I think, about eight million square miles, and three million more in her dependencies,—about twenty-seven per cent of the habitable land of the globe. If the United States and England join in a compact of permanent peace, that means that more than one-half of the habitable land of the globe is brought under such a compact. Think you, if that is done, the other half will be able to hold out very long? Just because war would be so terrible is the peace so magnificent, and the vista which stretches before us to-day without end so sublime.

In the attitude of all our people we have a growing appreciation of the issue involved. You cannot interest the whole American people in any piece of picayune politics; you cannot rouse this great nation to a small issue. Only when the American people come to perceive the magnificence of the opportunity, the tremendous nature of the responsibility, the lasting consequences involved, will they rise in their might. Horace Mann said, "Where anything growing is concerned, one former is worth a dozen reformers." Now something growing is concerned here. Something is growing in this country; and if you and I can help to form the future, then our task will be magnificent. Every one of us can do something. We rejoice in the presence of these judges and statesmen and international lawyers. But it is not only for them; it is for me, for you, for these women here, whose faces are quite as eager as any others,—for each of us in his own sphere, to do something to spread the light and usher in the grander day.

A newspaper in New York, whose splendid powers are worthy of a better cause, has recently called this longing for international arbitration "sloppy amicability." Let it be known whether this is sloppy amicability or is the ushering-in of the kingdom of Jesus Christ on this earth. Let the voice go out from this Conference that it is no mere sentimental weakness, but courage of the highest kind, that we demand of the people. I believe a larger conception of Christianity is taking possession of our pulpits to-day, if I may allude to the work which I am doing in company with so many others. We are refusing to take as our ideal the Pilgrim in "Pilgrim's Progress," who could go through the whole world, from the City of Destruction to the Celestial City, without one earnest, honest attempt to ameliorate the condition of the country through which he passed. When I was a member of a little church up among the hills, and so small that I stood on a cricket in the pew, I well remember how we sang together,

" We are a garden walled around,  
Chosen, and made peculiar ground,"

and I am free to say that the wall was exceedingly high and the ground inside exceedingly peculiar. Friends, our conception of

Christianity is becoming vastly larger. We are not content with an atomistic philosophy ; we are not content with mere individualism. We believe that a saint is not simply to stand on a cold pedestal and await translation into some divine art gallery, but to give himself to the amelioration of the woes of humanity, to the ushering-in of the kingdom of the Prince of Peace among all nations. That is the sort of Christianity we represent here to-day. That is the sort of effort in which we may look for the coöperation of every one here present, and of hundreds whom every one here is able to influence. And when the day is done we will simply say to the laggards and recreants who would not help us, in the words which a great French general used to one of his comrades, "My dear Crillon, go hang yourself ! We won a great victory at Arques, and you were not there !"

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#### ADDRESS OF REV. HENRY M. BOOTH, D.D., LL.D.

As I have already given a portion of my time to another speaker, I will, at once, present an outline of what I wish to say, so that my thought may be before you, even if I am not able to elaborate it. In the first place, arbitration has met its first Bull Run. Let us thank God and take courage. In the second place, European militarism has exhibited its weakness and its inability to keep the peace. Let us learn the lesson and be wise. In the third place, the public conscience, the world over, is becoming sensitive. Let us instruct that conscience with "the truth as it is in Jesus." Now by way of introduction, let me say that it is my firm conviction that if you paint a lion with his mouth open and some one working at his tail, and put underneath, "This is a sucking dove," you do not tell the truth. When I was in college we had a song about one Van Amburgh, who

" Puts his head in the lion's mouth  
And keeps it there a while,  
And when he takes it out again  
He greets you with a smile."

But that is not the British lion. No man, no nation, puts a head into the mouth of the British lion and brings it out again a whole head. And no one — man or nation — screws the tail of the British lion with satisfaction to himself or to his countrymen. We are talking like men, and we are talking for a manly nation. One of the most eminent Scottish professors wrote to me at the time we were agitated over the Venezuelan message, "Believe me, we should contemplate a fight with all the European armies combined rather than an engagement with the United States." I believe that is true. We are strong, — strong enough to be brave and manly. Our Christianity has iron in its blood as well as milk in its breasts.



I have said that arbitration has met its first Bull Run. We recollect what Bull Run was, and we recall the terror which then swept through the Northern states; to-day we recognize that one of the greatest blessings this country ever experienced was the first Bull Run. If Mr. Seward had been right when he said that a "ninety days' war" was all that was needed, the atmosphere would not have been cleared, the slaves would not have been emancipated, we should not stand where we stand to-day. It was Bull Run that compacted us and led to an utterance of General Grant, which anticipated that other utterance which has been frequently quoted, "I propose to fight it out on this line if it takes all summer." I believe that our recent Bull Run has compacted the Christian sentiment of this nation, of Great Britain, and of European countries, in favor of arbitration. We are in, not for a ninety days' war, nor for a sudden and partial victory. We are in until we win; and, God helping us, we shall win, and this result, so blessed, shall be recorded in the national life of the world.

While this has been going on, how marvelously the providence of God has exhibited the weakness of European militarism! How contemptible it has appeared! The "sick man," despicable in our estimate, has risen up from his sick bed and has defied the world. Five hundred thousand German troops, five hundred thousand Russian troops, the same number of French troops, with Italy and England and Austria combined, are powerless in the presence of that "sick man," staggering out before the armies of Europe and asking them what they are going to do about it. The policy of large standing armies to keep the peace of Europe has come to shame, and God has shown that this wisdom of man is folly.

All this has made the public conscience very sensitive in this country, in Great Britain and in many parts of Europe. This is the day of the masses, and the masses are being educated. How shall we educate them? Let us educate them with those sublime truths which were spoken by Jesus Christ. Those are the truths which make the future bright to us; those are the truths towards which we are moving; those are the truths which give us our optimism. Jesus Christ has spoken the word; men must know it; you and I must teach it. And then we may move on to universal peace, not simply because paper treaties have been made, which men would tear to pieces if peace were not in their hearts, but because hearts are at peace, and the kingdom of Christ has encircled the globe.

The subject was then thrown open for discussion in five-minute speeches.

REV. PHILIP S. MOXOM: I have a very strong impulse to say a word with reference to one matter that has been before this Conference. If I do not say it now I shall say it to-night, and I want the time then for something else.

We have had a good deal of deprecation of criticism in this Conference. I believe it is a part of patriotism, that patriotism which is

also religion, to cultivate in our children and our youth respect for our institutions and veneration for our national offices and officers. But I believe it is also equally a part of intelligent patriotism to maintain and to exercise the indefeasible right of democracy to call every public servant to account, and to indulge in just criticism. (Applause.) I have no word of idle reproach to utter against the Senate of the United States, with respect even to an action that was so disappointing and so contrary to our best traditions. But, Sir, it is no more than just to say that you, and men like you, have created the standard by which it is impossible that we should not criticise the Senate which defeated the arbitration treaty.

Let us consider, first, the character of the critics. They have not been the political heelers, they have not been the party politicians; they have been men representing the morality and the intelligence and the large-mindedness and the high character and the noble aspirations of this country. It is these who have indulged in criticism of our Senate. It is a remarkable circumstance in our political history that the criticism has come from these sources all over the country.

In the second place, let us ever remember that criticism of public institutions and public officers is, as I said a moment ago, the indefeasible right of a democracy. The last body in the world that should wish to have us abdicate that right is the Senate itself. They should welcome the criticism which will help them, as all sound criticism does help, to a reform of morals and manners.

In criticising our Senate we must remember that we criticise ourselves also. For, after all, the Senate has its source in the life and character of the American people. It is well for us to remember that we create our public officials and our public institutions, and that therefore the nation as a whole needs to take it to heart that, if it is disappointed in any action, there is some cause lying back of the Senate and back of those institutions, in the great mass of the people. We must, by every obligation that is sacred, carry our work along the line of a moral and educational campaign that shall penetrate every sphere of our political life and every sphere of our social life. Then, Sir, senates will be as august as ever, and legislatures will win the honor of the whole nation.

HON. GEORGE S. HALE of Boston offered the following resolution :

*Resolved*, That it is expedient to combine, with provisions for final awards by permanent international tribunals of arbitration, alternative provisions allowing contracting parties reluctant to bind themselves in advance to final awards to submit their claims, with all evidence in their possession or control, for the friendly advice and recommendation of such tribunals or other arbitrators, with an agreement that there shall be no recourse to hostile measures before the expiration of a specified period after the publication of such advice and recommendation, for amicable negotiation and mediation.

DR. JAMES CAREY THOMAS of Baltimore offered the following resolution :



*Resolved*, That in view of the disappointment felt throughout the country at the failure of the arbitration treaty between the United States and Great Britain, this Convention respectfully asks the Senate of the United States to pass such resolutions as may represent the deep feeling existing throughout the United States in favor of the settlement by peaceful methods, at once practical, available, and impartial, of disputed questions which may arise between the United States and Great Britain and other nations, in order that negotiations may be speedily entered into for the accomplishment of this great end, by means at least as effective as those already proposed.

HON. W. MARTIN JONES of Rochester offered the following resolutions :

*Resolved*, That it is the sense of this Conference of citizens of the United States, assembled in annual gathering at Lake Mohonk, that the progress made in the promulgation and in the adoption of the great principles embodied in the proposed settlement of all international differences by resort to reason rather than to force has been such, during the twelve months last past, as to give to the Christian world and to the lovers of peace everywhere just and great cause for rejoicing.

*Resolved*, That while this Conference can but entertain and express great and sincere disappointment at the failure to obtain the necessary two-thirds vote of the United States Senate to ratify the general treaty of arbitration submitted to it by the President, it must recognize in the fact that the Executives of the United States and of Great Britain and a majority of the United States Senate have agreed to establish an international court of justice, the most significant step taken in a century, looking to a time when "nations shall learn war no more and enlightened reason shall fight the only battles fought among the children of men."

*Resolved*, That the thanks of this Conference be, and hereby are, extended to the late President and Secretary of State of the United States and the Ambassador of Great Britain at Washington for the eminent services rendered by them to the cause of universal peace, in the negotiation of a general treaty of arbitration between the two governments, and to President McKinley and his Secretary of State for their equally generous support of the principles involved in that treaty.

*Resolved*, That the failure to secure the ratification of this treaty should only stimulate the friends of the cause to renewed activity in its behalf, and no effort should be spared to secure the negotiation of similar treaties between the two English-speaking nations of the world and other nations, looking eventually to the establishment of a great international court, to which may be submitted all differences between nations that fail of satisfactory adjustment through usual diplomatic channels.

REV. CHARLES F. DOLE of Boston offered the following resolutions :

WHEREAS, This is a time when the people of the great civilized nations are drawing together with a real desire for permanent friendly relations; therefore,

*Resolved*, That we call upon all persons who love peace and humanity to help make a stronger and more effective public opinion towards the disuse of the methods of force and warfare between nations, and in favor of the deliberate arbitration of possible differences.

1. We call especially upon those who have occasion to address the public, upon statesmen, journalists, ministers of religion and teachers, to guard against utterances tending to influence national jealousies or expressing distrust of the goodwill of other people. In so far as we are obliged to condemn the cruel or barbarous action of certain governments, as, for instance, the treatment of the

Armenians by Turkey, a clear distinction should be made between the unrighteous act of the government and the misfortune of the people who are subjects, and often quite innocent or helpless subjects, of that government.

2. We strongly deprecate as unpatriotic, unintelligent, and narrow-minded every unfriendly allusion to our great sister nation of Great Britain, one with us in language and in the traditions of our common liberties. We cannot easily imagine any reasons which could justify war between ourselves and our kin across the sea.

3. We ask the sympathetic aid of all educators to withstand the pernicious doctrine, which survives from ages of militarism, that fighting, whether in public or private, is needful to produce courageous men or to renew the virile force of a people.

4. We urge the greatest caution on the part of those who have commercial or philanthropic interests abroad against recommending or countenancing the use of armed force to redress wrongs or to obtain satisfaction for private losses. Civilization, humanity, and religion cannot well be advanced by bloodshed and the rancor and bitterness that follow war.

5. Recognizing that warlike preparations tend to foster the war spirit and to lead men to think recklessly of the consequences of war, we would discourage any further increase of our navy, as well as the attempt to acquire a series of fortified naval stations in foreign waters. However we may differ about the so-called "Monroe Doctrine," we seriously object to such an extension of that doctrine as might ever require our government to go to war, or to withstand the peaceable entrance of a higher form of civilization upon the unsettled and ill-governed region of the continent or its islands.

6. We believe in the leadership of our nation upon the American continent, but only such a leadership as naturally arises from a broader education and weight of moral character.

7. We do not believe that any nation is yet wise or good enough, or is free enough of the record of injustice, to make itself a safe arbiter to intervene in settling the quarrels or righting wrongs among other nations.

8. Finally, we hold that our efforts by way of sympathy with all oppressed peoples should be directed, first, to the setting our own public affairs, both national and municipal, upon a basis of thorough justice; and next, towards the establishment, by all friendly means, of a general system of international tribunals of arbitration, such as should command the respect and confidence of the world.

REV. EDWARD E. HALE of Boston offered the following, as a substitute for the resolution presented by him at a previous session :

*Resolved*, That the general plan for an international court of arbitration formulated by the New York State Bar Association in the early part of the year 1896, and by that Association presented to the President of the United States, certain features of which were very happily embodied in the two treaties recently negotiated between the governments of Great Britain and the United States, be and hereby is approved and commended, and that this Conference earnestly recommends that the President of the United States be respectfully but earnestly solicited to enter into negotiation with the representatives of other nations for the early establishment of an international tribunal on the plan suggested, or on some similar plan that may be devised in the great interests of universal brotherhood.

MAJOR MARSHAL H. BRIGHT of New York offered the following resolution :

*Resolved*, That, as the sense of the International Arbitration Conference assembled at Lake Mohonk, this Conference will rejoice at any movement which may be taken by the President of the United States to request Spain and her Cuban



revolutionists to submit their present issues to arbitration, or, that failing, to take such measures as may be thought advisable to end the existing cruel and barbarous conflict.

REV. BENJAMIN FAY MILLS: One matter which has been remotely suggested here seems to me to lie at the very heart of this whole question. I believe, in the first place, that the cause of the defeat of the treaty before our Senate was an economic one. I would defend not only the senators who voted against the treaty, but the territory from which they come. Let us remember that, immediately after the action of the Senate, a resolution, which has been read here, was presented by a senator who had voted against the treaty, stating that the United States Senate was heartily for peace and not for war. Let us remember that the last words spoken before this action were those of Mr. Carter of Montana, who said he desired it to be understood, of himself and those who voted with him, that if future instances of a practical sort were brought before the Senate, they would vote unanimously for the principle of arbitration. Let us remember that some of these men were among the purest and most conscientious senators who honor the Senate by their presence there.

These men come from what I believe to be morally the best and most truly American section of the United States. I have been a pastor in New England, I have been a pastor in the state of New York; and I believe that the most conscientious, the most enlightened, and in the largest sense the most cultured and hopeful people of the United States live in the great states of the interior and the West. They are the true Americans. There is no city that I know of, west of the Mississippi and the Missouri, that is governed by foreigners. I believe in the people of the Dakotas, I believe in the people of the states beyond the Missouri, — with possibly the exception of the people of the state of Nevada. These men voted against the treaty, not because they had some resentment against England as the representative of the gold standard, but because they conscientiously believed in a silver standard. I do not sympathize with them, but I do sympathize with their love of what they regard as justice. They were neither repudiators nor robbers; they were animated by as great a passion for justice as ever moved men in the world's history. They felt that at this time the indication of a friendly regard for England, whom they regard not as the foe of America, but as the foe of the idea which they represent, would give force to the cause that had recently triumphed over them in the expression of their economic conviction. I believe that, according to their light, no men ever more conscientiously and intelligently stood for a principle than some of the noble men who voted against the ratification of this treaty.

In the second place, I believe that the cause of all the war spirit that exists on earth to-day is an economic one. You may have seen a cartoon of some one suggesting to little Greece that if she could find some way to borrow as much money from England as Turkey

had done, England would be on her side. We know that the forces that make war to-day are commercial forces; and the forces that have prevented war, where war has been prevented, — as, for instance, in the case of the recent excitement concerning Venezuela, — are commercial forces. It was not simply that ministers thundered and lawyers spoke for justice and righteousness; the business men of England and America said that there should not be war.

In the third place, I believe that as soon as we get a righteous constitution of economic society, we shall have settled every question concerning the future conditions of nations. Who is it that desires war? Not the ministers, not the lawyers, not the editors, not the laborers, — the laboring men are united for peace and for the principles of arbitration everywhere around the globe. Who is it that desires war? Not the business men, except when war seems to represent their interests. It is the great industrial and commercial system of the world that makes war possible, that makes it certain, or will abolish it. I believe that here lies our greatest hope, — in the fact that this question is upon us and must be fought through, and that it will never be settled until it is settled right. The culmination of all our hope will come with the great uplifting of the people into clear thinking concerning social and economic righteousness until, as Dr. Gladden has said, there might be a world-wide movement for the substitution of love instead of greed as the organizing principle of human society. Such an event might well be described as the coming of God to earth, and no apocalyptic emblem could overstate its magnificence. (Applause.)

MR. HOWARD M. JENKINS of Philadelphia: If the Conference wishes to frame a resolution upon the point suggested by Dr. Hale, it seems to me that it would be more judicious not to mention the nations by name. Words have been spoken here which appealed to my sympathies and judgment, on behalf of a nation of Europe which is organized to a great degree as we are, and whose organization was, in large part, the result of ours. For my own part, however much of my own blood may be derived from islands that lie across from France, I have as kindly and as strong a feeling toward the Gallic people as for the British. This country is not merely an Anglo-Saxon country; it is a country formed of many strains of blood. In the state in which I live, I doubt whether one-half the people are derived from English families; in great part Pennsylvania is German.

It is a great gratification to me that this morning we have gone down deeper and have had expressions here relating to the underlying principles of peace out of which any effective arbitration must come. For my part, I very much prefer that we should have that spirit of peaceableness and sweet reasonableness out of which arbitration becomes unnecessary. I do not believe in a lawyers' paradise; I do not believe that in the kingdom of heaven we shall file briefs in a court. It is not all of peace to arbitrate, nor all of human brotherhood to form international courts.



DR. HALE : In introducing the resolution last night, I did it with the definite and distinct object that something definite and distinct might be laid before the country as the action of this Conference. There have been thousands of peace conferences which have prophesied since the time of Isaiah. And yet it is as true as it was in John Baptist's time that he who does something is greater in the kingdom of heaven than he who only talks about it. Now here is one scheme which has been brought forward which has, on the whole, met with general acceptance — being welcomed even in quarters where they are a little slow to say that they approve of anything — because it was a scheme drawn up by careful business men. Then I said to myself and the friends with whom I conversed : “What is there which we can propose, which is practicable, which can be done within a year or two?” It is a habit of mine, and I think a good habit, to form a definite plan of what I would do if God Almighty gave me the power to do just what I wanted. Starting upon that, I said : “If I were the autocrat of this affair, I would send the Honorable George F. Edmunds to Europe to confer with the leaders of opinion in the principle courts of Europe. I do not think that Mr. Edmunds could go to South America to see the Mexican people and the Brazilian people, and I do not believe that anybody could accomplish anything with the leaders of opinion in England and France and Germany and the rest if he had to go to Spain and the smaller Powers. With great grief, therefore, I may say, the gentlemen who prepared the resolution last night omitted Switzerland. If we should unite France and Switzerland and America and *begin*, I think it would be a good beginning. But looking at what would be practicable for the one man who is to be thought of in such a matter, I thought we had given him enough to do if we gave him the six great Powers. But my friends who represent the New York plan were a little grieved; it is a pet portion of their scheme that they have five republics and four monarchies. And as they thought Mr. Edmunds could attend to nine negotiations, I introduced the second resolution to-day.

DR. THOMAS : The arbitration treaty stands to-day estopped in some way not clearly made known to us in the Senate of the United States. It seems to me that we ought to begin to start it again from the very body where it stopped. If we could get an expression from the Senate in favor of the resumption of negotiations looking to this great end, then we could begin where we left off. That seems to me practical and not unlikely, and I understand from our friend who presides that it is not without the scope and power of the Senate. I do not know that the Senate will do this, but I think we might suggest to it that it would be a graceful thing, which would meet the views of a very large number of people who are now feeling troubled by the estoppel of what had gone so far.

MR. JONES: I apprehend that the general idea and scope of the plan of the New York State Bar Association has not been fully understood. I desire to call your attention to a fact or two connected with that matter.

I have in my hand a copy of the memorial that was presented to the President on the 21st of April, 1896.<sup>1</sup> We had a conference which lasted nearly an hour, and we went over this matter carefully and deliberately. And the President said: "There is one fact about this matter: you have a *plan*; nobody else has given us a plan."

But that plan is flexible; it is not a plan which we have set up which you must follow, or which these governments must follow. We want it to be put into active operation by the English-speaking nations first, and we believe that its utility will be so manifest in a brief trial that the other civilized nations of the world will soon join in a plan whereby a world's court may be established, to which may be submitted all differences between nations.

One fact, I think, has escaped many of you; it is involved in Dr. Hale's suggestion of sending a special envoy to confer with other nations upon the subject of arbitration. We do not need any treaty between nations to establish this court. The treaty comes afterward. In our discussion of this matter, it was our wish to formulate a plan so easily adopted that it would require no treaty. Suppose there arises a difference between Italy and Switzerland, a question of boundary, if you please. They have no representative on this court, but they may submit the question at issue to this court of the nations; the treaty, by which they bind themselves to submit to the decision of the court, comes after the establishment of the court.

MR. ALFRED H. LOVE of Philadelphia offered the following resolutions:

WHEREAS, Our government, in 1874, and in 1890, invited the nations of the world to unite in a treaty of arbitration, and Great Britain accepted, and the Senate refused to ratify; therefore,

*Resolved*, That we urge each government to put the sincerity of the United States to the test by accepting in like manner the invitation, and to send forward some plan of a treaty or some expression of unity with the proposition as presented by this government.

*Resolved*, That President McKinley be encouraged to stand by his unequivocal declarations for peace through arbitration, and with the view of perfecting a comprehensive system of international arbitration, each government be invited to send representatives to the United States to an intercongressional conference, to formulate a permanent tribunal of arbitration for all nations.

*Resolved*, That to carry out this proposition a commissioner be sent abroad by the United States to lay the same before the civilized governments of the world.

*Resolved*, That inasmuch as the Pan-American treaty of arbitration, as proposed by the United States, has come so near to ratification by all the republics of North, South and Central America, but from various causes has not yet been finally adopted, we deem the present a favorable time for reviving the treaty and strongly recommending its ratification.

<sup>1</sup> See Appendix, B.



Mr. Capen announced that three vacancies existed in the Business Committee, and nominated the following gentlemen to fill those places : Hon. Everett P. Wheeler of New York, Hon. Merrill E. Gates of Massachusetts, Hon. John I. Gilbert of New York. They were unanimously elected.

The Conference then adjourned, at 12.30 P.M.

## Fourth Session.

Thursday Evening, June 3, 1897.

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THE Conference was called to order at eight o'clock P. M. by the President, who then announced the names of the Committee on Finance as follows: Mr. Edwin Ginn of Boston, Mr. E. F. Browning of New York, Mr. John Arbuckle of Brooklyn, Mr. James Wood of Mt. Kisco, N. Y., Mr. Warner Van Norden of New York.

The subject for the evening's discussion was stated to be, "Measures to be advocated for the further promotion of international arbitration," and REV. THEODORE L. CUYLER, D.D., of New York City was asked to favor the Conference by making the opening address.

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### ADDRESS OF REV. THEODORE L. CUYLER.

*Good Friends,* — From the core of my heart I am in the most intense sympathy with the glorious movement for which you are here assembled. The only war in our own country that I ever believed in and ever prayed for was that civil conflict which was the termination of a state of war that had existed for a century between two races. It is a cheering fact that the two most conspicuous warriors in that conflict have furnished two mottoes that might be inscribed on the walls of this arbitration Conference. General Grant's "Let us have peace" has gone all over the land; and his illustrious colleague Sherman has packed into three words the most tremendous argument on our side ever uttered in our land when, in a public speech, he said, "War is hell."

I hope you have not been in the slightest degree disconcerted by recent events at Washington. I interpret those events to be full of inspiring encouragement. There is always a jingo spirit that is ready to indulge in bluster and menace. Then there are the jinglers, who rattle free silver in our faces, and who perhaps thought it was a good time to give an affront to John Bull, as the great gold-bug of Europe. And perhaps some men looked askance over the left shoulder for the Irish vote. Then, too, let us confess, those of us who have the warmest affection for old England, that the present Tory government had been doing some very exasperating things (or not doing things) in reference to massacred Armenia and the "crowned assassin" on the throne of Turkey. It is very probable that if our arbitration



treaty had been made with France or Belgium, or perhaps Germany, it might have gone through with scarcely a ripple of opposition. But notwithstanding these accidental and incidental difficulties in the way, remember that a great majority is recorded for the principle of arbitration. And if senators were weighed instead of being counted, there are on our side more than two-thirds in moral and intellectual avoirdupois.

So, good friends, let us thank God and take courage. The history of our country gives many illustrations in favor of peaceful adjustment. Why, I remember, away back in my college days, how the air was full of the cry, "Fifty-four forty or fight!" over Oregon and the Maine boundary; but it was all settled by the memorable Ashburton treaty. It was my fortune to be in London in July, 1872, at the time of the intensest excitement over the "Alabama" difficulty. The Geneva court was in session, but the reports were adverse, and there was great fear that this would fail and that there might be a conflict. Happening to speak in Exeter Hall at an anniversary meeting, I uttered some very strong sentiments with regard to the beat of the American heart for peace. I was invited to go and see Mr. Gladstone, then Prime Minister. I had a most interesting conversation with that greatest of all men now on the globe. He had many questions to ask me about Mr. Sumner's singular position in reference to the Alabama claims, which I was very glad to explain to him by some account of Mr. Sumner's idiosyncrasies. He invited me to breakfast with him next morning. During the breakfast a package of despatches was laid by his plate. He went on telling stories and talking until breakfast was over, then went to one corner of his drawing-room and read them. Then he motioned me to come up, and said, "Doctor, there is good news from Geneva. Everything is going right." And, taking me by the hand, he said, "I do not profess to read or interpret the oracles of Providence; but there is no earthly power can now prevent an honorable peace between your country and mine." (Applause.) Among the pleasant incidents of a long life, I count it one of the first to have been with that colossal Christian statesman and lover of his kind when the great load was lifted from his mind of threatened conflict with our beloved country.

Dear friends, we are not fighting a losing battle. I want every one of you to go home more than ever consecrated to a holy war against that Moloch that lifts its hideous form against the daylight of God's opening twentieth century. Let us go home with new faith and new courage. The American conscience is for arbitration to-day. The conscience of Great Britain is for arbitration to-day. The conscience of Christendom is for arbitration to-day. With reverence be it said, Almighty God on his throne is for arbitration. And if God be for us, who can be against us? Oh, it is a pleasant thing for me, though I have not been able to hear a word that you have uttered, to look into your faces and feel, as it were, the beat of your hearts for this great holy cause of peace and goodwill, for the adjustment of all controversies by justice and not by the reckless and wretched arbitrament

of the sword. Thank God, good friends, that he has counted you worthy to take part in this sublime enterprise!

Let me say, as I close, that every great moral enterprise for the advancement of humanity and the glory of God always has its dark night of adversity, and the little boat that holds the destinies of humanity often seems to be well-nigh swamped by the midnight tempests of popular clamor. But the Prince of Peace is seen treading on the billows, saying unto us, "It is I, be of good cheer." And when the Prince of Peace sets foot in the boat, there is a great calm, and the boat is soon at the desired haven. God bless you in your work! You will always be thankful you bore a part in the Arbitration Conference; for, as sure as that the sun shall not slumber behind Sky Top, forgetful of the voice of the morning, our triumph will come. Though perhaps some good gray heads that all men know and love may be bowed before that day shall break, it will come, it will come, it will come! And oh, honored and beloved leader of your countrymen in the cause of right, you and I may see it from the celestial battlements, and hear the shout of "Peace on earth, goodwill to men!"

"For right is right, since God is God,  
And right the day must win.  
To doubt would be disloyalty,  
To falter would be sin."

The President announced, at the conclusion of Dr. Cuyler's address, that ten-minute speeches would be made by several gentlemen, and that the subject would then be open for general discussion. Addresses were made, as follows, by Prof. John B. Clark, LL.D., of New York, Judge J. H. Stiness of Providence, Hon. George F. Seward, formerly U. S. Minister to China, Col. George E. Waring of New York, and President James M. Taylor of Vassar College.

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#### ADDRESS OF DR. JOHN B. CLARK.

*Mr. President*, — There will be, at some time, an assured peace on the earth, and it will come through tribunals of international arbitration; so much we are not disposed to question. These courts will perhaps have plenary power and a wide jurisdiction. Yet courts of a more modest character may be better adapted to our present needs. They may be not merely more practicable and more attainable, but, in view of the stage to which evolution has brought us, more desirable.

We should believe in the ultimate reign of peace, if it were only because of pure optimism; for there is something in every healthy mind which asserts that what is desirable is ultimately probable. Proceeding in this wise we locate our goal first, and trace our route to it, as best we can, afterwards. Science reaches the same conclu-



sion by a different method. There is a progress, an evolution, which is not beyond tracing, and which is leading us in a certain direction. Follow this movement, in imagination, and you find it leading to the same goal that idealism intuitively sees. Though the route be not altogether traceable, its direction is clearly enough marked. On the basis of the hardest facts of economic science, we were able to say Amen to what Doctor Hale has claimed concerning the plenary court of the world, that shall, one day, settle disputes with authority. Not less than that is what I claim as the result that is foreshadowed by the evolution that is now in progress. I will concede nothing to idealism in the way of the perfection and scope of the court that will ultimately be established to settle disputes between nations, *if we wait long enough for it.*

What can we have without much waiting? The evolution of which I speak is one that has recently been the subject of study among economists. I am not going to precipitate upon this meeting a statement of the results that economists have reached in the pursuit of what it is now the fashion to call dynamic economics. It is, however, a study of movements and tendencies; and it tends to make every economist in some sort a prophet of the future. He does not base his forecasts on dreams and visions, and he does not predict the future without qualifications.

There is evolving, as we all know, a world-state. But what is clearer than that, and more important, is that there is evolving a world-society, as a result of international influences in economic affairs. The economic society of which we are a part has already embraced the whole earth. It used to be the fashion to confine economic studies to nations, — to think, for example, that the action of demand and supply respected the boundary lines of a political state. That is long since discarded, and of late very fruitful work has been done in tracing the gradual extension of economic influences far beyond the boundaries of any political entity. Commerce goes to the ends of the world, and that unites all men to some extent. Labor moves freely to and fro upon the earth; capital migrates as well. A more important and slower movement is the movement of economic method, the assimilation of all countries on the earth to an economic system that is, in a way, central. The less-advanced regions, as it were, annex themselves to the more advanced. In methods of organization the outlying localities assimilate themselves to this same center; and these movements follow about in the order in which I have named them. Commerce goes first, well in advance, and unites the earth loosely; while these other movements follow and make the union more complete.

The economic society of the world is only half evolved, or, indeed, a quarter evolved, if we take even the most civilized nations of the earth into view; and among peoples outside of that circle the movement is far less advanced.

It is possible to see the evolution going on, surely, and not slowly, as movements count. All sections of the earth are in process of

being fused, regardless of nationality, into one great economic society. In the end it must fashion for itself some sort of government.

Now, if so much progress toward international arbitration has been made in the crude, youthful stage of this world-state, it is easy to foresee that a very much greater progress is possible in the immediate future. But what I want to do in particular is to see if, by this method of tracing the evolution, we can get any light on the particular problem, how much we ought now to ask for, if we could have it, and how much we now can probably get, if we ask for it, in the way of a court of arbitration.

I am one of those who think that underneath the immediate motives which led to the rejection of the treaty lately before the Senate there was a motive, unspoken in the main, which influenced, not only the senators, but very many of the best people of our land. I should be greatly surprised if it did not have some influence on nearly every member of this Conference. It would not have made us unwilling to see that treaty ratified; it did not prevent us from being greatly disappointed that it was not. But the country had a certain misgiving, which led to a shrinking from the adoption of that treaty in the form in which it stood; and this connects itself, as I think, with the state of evolution which the world-society has thus far reached.

Mr. George Hale well said that, of the various alleged objections, those which counted for anything resolved themselves into this, — the binding character of the tribunal's decree; the feeling that it would tie our hands; the feeling that it would not only, as was intended, make war improbable, but would make the reservation of war, as an ultimate and remote possibility, impracticable. By all analogy, the possibility of war should be expected to survive long after actual war is discontinued.

I may draw an analogy, imperfect indeed, from the tribunals of arbitration that act in the relations of labor and capital, — distinctly economic tribunals. It is but a very short time since it was supposed that, in the interests of labor, a tribunal of this sort should have plenary power; that it should enforce its decrees by some kind of coercion. It was seen that the coercion was not easily obtained; but little by little courts which had no coercive authority whatever came into action in the countries in which organized labor had made the greatest progress. In England they have acted very effectively. Strikes have been greatly reduced in number by the action of these courts; and yet about in proportion to the progress that has been gained in the adjustment of wage conflicts has been the determination of the laboring class not to surrender the ultimate power to strike. A tribunal for the arbitration of such disputes has been found to be exceedingly valuable, *if a strike were impending as a possibility during its deliberations*; and to have much less value in the opinion of those who have the greatest interests at stake, if its authority were final. A tribunal of international arbitration that should settle a dispute so authoritatively that a country could not reject its



decision, and could not resort to the only appeal that is possible, namely, the appeal to arms, would not be as good a tribunal as might otherwise be obtained. Its verdict would not as well satisfy the conscience of the world as would that of a tribunal which should rest solely on the obvious justice of its decisions, for the weight that those decisions should carry.

I wish it were possible for me to go a little farther over the realm of economic activities and show in what manner the possibility of things we wish to avoid is sometimes exceedingly useful. Competition is sometimes very beneficent when it is reserved and latent, rather than active. I believe that a tribunal that should settle international disputes with plenary power would be less desirable even than one that should settle such disputes with no other authority than the moral coercion which would follow the justice of its decrees. And I further believe that if we had such a tribunal, the decrees would follow the line of justice more closely if the court were thus organized. The very thought that upon its decision should hinge the question of war or peace would make it do its best to render a right decision.

If we could get such a court as that, as has been said, its decisions would in fact be respected. War would, as a fact, be generally discontinued. Greater and greater questions would constantly be settled by the tribunal, and its action would become nearly constant. Little by little it would grow into a court with a power that would be as good as though it were made final. This is saying that the judicial department of the world-state will come into being by natural steps; and so, doubtless, it will. Yet little confidence could be placed in such a prediction if there were not going on an economic evolution that will make the courts indispensable.

Parts of the world are already drawn into such delicate relations that war encounters new and powerful obstacles. We recall the sensitiveness of the stock markets to rumors of wars during recent months. We recall the protests that labor unions have made against disturbances of the peace. Yet the reason for these protests is the fact that is of chief importance. Ask a labor leader why they are made, and he will say, "Not because we are more tender-hearted than other men; but because we have another contest on hand." The issue between capital and labor subordinates most issues between one country and another.

The essential fact is that the lines that divide economic classes from each other cut across international boundaries. They unite laborers of all lands in a great fraternity, and one that has an interest to prosecute against capitalists. There are other unions that are international, and that create issues which pay no attention to state lines. Capitalists throughout the world are coming into a certain solidarity of feeling and of action. Producers of particular kinds of goods are doing this in a marked way. There have been a few international trusts, and there will be more.

Every movement that brings an economic section of the world into

solidarity is a power for the suppression of warfare; in the time at my disposal it is impossible to indicate the number of such movements that are actually in progress. They are very many, though they are not far advanced. We are witnessing the rude beginnings of a hundred different changes, every one of which will, in the end, create an economic class extending through all civilized countries. Each of these world-classes will have interests of its own to prosecute. Little by little these will come to be the absorbing interests, and the questions that array states in hostility to each other will recede into the background. The motives that induce war will become weaker; while those that call for peace between nations, with quasi-conflicts between classes, will become stronger. Humanity will give itself over to the economic rivalries that make for progress. Wage-earners and capitalists will have ends to gain on an international scale, and so will the venders of every kind of merchandise. The paralysis caused by war will be dreaded far more than the cost and even the suffering that it directly entails. Peace, in the sense of the absence of all rivalries and all conflicting aims, will never come on earth; but the conflicts of the remote future will not be those of the battlefield; they will be the contentions of the market through which progress is ensured.

This is a remote outcome. When it is realized the plenary court of nations will easily be realized with it. In the early stage of this evolution in which the new century will find us we shall indeed need a court of arbitration. I believe it will be one that will stop warfare, in fact, long before it banishes it as a reserved possibility.

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#### ADDRESS OF JUDGE J. H. STINESS.

*Mr. Chairman,* — It seems to me that we have a right to sing both a pæan and a lament, — a pæan for all that has been accomplished (and it is much), a lament also for a lost opportunity. In considering what measures are to be taken for the future, I wish to urge upon the members of this Conference a single definite and practical consideration.

Last year our work was to argue for the principle of arbitration, to show its reasonableness, to commend it to the judgment of our fellowmen. Now our work is different. If anybody had suggested, a year ago, to the members of this Conference that when they met again there would have been such progress made that a treaty would have been promulgated between Great Britain and the United States which would be endorsed by two successive Presidents representing different political parties and by a majority of the Senate of the United States, and almost unanimously by the press of the country, we should have smiled at him as oversanguine. But all this has happened. When we were here a year ago, no doubt many people



looked upon us as a mild sort of cranks, chasers of a phantom, dreamers on the mountain-side, who knew but little of the practical details of government. But now, how different is the situation ! We no longer have to argue for the *principle* of arbitration; that is no longer a part of our work. The principle has been crystallized into historic form in the treaty that has been drafted. Whether that treaty be adopted or not, the practical working principle is an established fact. The only question that we have to consider now is one of the methods. What a great advance in a year ! What rapid strides have been made in public thought ! How much higher our vantage point this year than last ! We come now simply to consider, from the point of our new departure this year, the *methods* that shall be recommended for the accomplishment of this design.

That being the case, I want to suggest that the thing to be recommended is already before us. When we find that, after much consultation, the representatives of two governments have agreed upon a scheme, we may well conclude that it is a statement of what can be accomplished between the two nations, and all that can be accomplished at present. When, too, we find that there is a scheme that has received the endorsement of two great countries, and that it has also had the endorsement of the people of those countries, we may well conclude that this is a scheme good enough for the present. Therefore the one word I have to say to this Conference is that the method to be pursued in the furtherance of this movement is to endeavor, so far as we have any power to do it, to urge a further consideration of the general features of the scheme that has already been settled upon between the two governments. It has the prestige of success almost complete. It seems to me that much more is to be hoped from this one thing than from any new scheme that may be resorted to.

Now, what is this scheme ? I want to suggest very briefly what are the provisions of that treaty, in order that you may see how plain and simple and practical they are.<sup>1</sup> In the first place, let me call your attention to the preamble of the treaty, for in it are the noble words by which the contracting parties say that they are "desirous of consolidating the relations of amity which so happily exist between them, and of consecrating by treaty the principle of international arbitration." The great feature of this document has been, not simply the setting-up of a court for the settling of difficulties, but the consecration of the principle of arbitration. It was a tentative measure ; it proclaims by this very expression that though the form adopted may not be adequate in all cases or satisfactory to everybody, it is enough to try for a period of five years in order to establish the doctrine and to "consecrate the principle." They are noble words, worthy to be remembered.

The first article of the treaty declares this principle of arbitration as the right and proper principle where diplomatic negotiation fails. In the second and third clauses, which practically belong together, it

<sup>1</sup> See Appendix, A.

is provided that claims under the sum of £100,000 shall go to a court of three members. Each party is to name a jurist of repute, and these two must choose an umpire within two months. If they do not, the judges of the Supreme Court of the United States and the members of the Judicial Committee of the Privy Council are to elect an umpire; and if they fail to agree within three months, then the umpire is to be chosen, as provided further on in the treaty, by the king of Sweden. The award of two out of three is to be final.

Sections IV and V provide for claims of over £100,000. And here is the clause which perhaps has created some difficulty. All differences, other than territorial claims, go in the first place to the court provided for by Article III, and if their verdict is unanimous the award is final. If it is not unanimous, either party may within six months demand a review by a court of five, to be chosen in the same way as the preceding court, and an award of that court is to be final.

By the sixth article territorial questions go to three judges of the United States Supreme or Circuit Courts, to be nominated by the President, and three judges of the British Supreme Court of Judicature or members of the Judicial Committee of the Privy Council, and their award must be an award of five to one in order to be final, because they touch what are called vital points of controversy. And yet, if there is a majority of less than five to one, that award may become final unless one country protests against it within three months after the award. And if they do protest against it within three months after the award, then there is the further provision that neither country shall have recourse to hostile measures until the mediation of a friendly power shall have been invited.

Article VII provides that when questions under Article III or V involve the decision of a disputed question of principle of grave general importance, affecting national rights as distinguished from private rights, the jurisdiction shall cease.

Article VIII provides that in cases which concern a particular state or territory, a judicial officer of such state or territory may be appointed an arbitrator.

Under Section IX "territorial claims" are defined: namely, questions of servitude, rights of navigation, fisheries, etc.

Section X, in case of failure to appoint an umpire, provides that the king of Sweden and Norway shall appoint such umpire.

Sections XI to XV relate simply to details, providing for vacancies by death, expenses, costs, the time and place of meeting, and that the treaty shall be in force five years, "and further until the expiration of twelve months after either of the parties shall have given notice of its wish to terminate it." Section XVI refers to its ratification.

These are all the provisions of the treaty, and I wish to call your attention to their plainness, their simplicity and the ease of their application. It is a working plan which can be set on foot at once. Nothing is required but such an agreement as has already been



entered into. Under all these circumstances, what should a Conference of this kind, desirous of the accomplishment of such an object, do but take the plain and simple plan already at hand and go on with it? It has received a sufficient endorsement to make it respectable, to give it prestige, and there is better chance of success in taking such a plan as that than in any other measure which can be thought of now, and through this we may work on to some higher achievement.

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### ADDRESS OF HON. GEORGE F. SEWARD.

*Mr. President,* — The question is, "What steps may be taken to bring about the arbitration of international disputes?"

The form of the question indicates that the arbitration of international disputes is a right object to work for. Taking this for granted we have still to declare what we mean by arbitration.

It might have been better to have stated the question more broadly. The object of the Conference is to bring international disputes into the forum of reason, not war. A question brought before a tribunal of arbitration is brought into a forum of reason, but not into the only forum of reason. The court proposed by the Bar Association would be a forum of reason. Matters dealt with by mediation would be brought into a forum of reason. The present armistice between Turkey and Greece has been brought about by mediatory efforts of the ambassadors at Constantinople, acting, as we may believe, not altogether outside of the forum of reason. If peace shall be effected, it will be due probably to honest efforts made to that end by the same body of men. They are not arbitrators and not judges. They are not even mediators in the sense that they have been delegated by both parties. And yet the forum is a forum of reason, and none the less so because the ambassadors represent special interests. It is a high forum because of the magnitude of those special interests and of the difficulties attending a settlement which must be satisfactory to other powers than those which have been engaged in the war. An American Minister in China, acting without instructions, solved a serious difficulty between China and Great Britain. A British Minister in China, acting without instructions, solved a serious difficulty between China and Japan. They were men, in each case, who had the confidence of the Chinese government, and personal influence, not as mediators, exercised with one of the parties, sufficed to close disputes which might have ended in war. There are, then, various ways by which international disputes may be brought into the forum of reason. International disputes, as a rule, are brought to that bar. Our entire diplomatic establishment exists for that purpose, and the government works out by it the desired results in nearly every case. We have had disputes with

many nations. We have had but one foreign war since that of 1812. If we had wanted to test the issues which brought about war with Mexico in any forum of reason, we could have done so, doubtless, but that was not our disposition apparently.

My second proposition is that in the forum of reason we may or may not need to proceed as courts do ; but whether we do or not, this forum needs no authority to enforce its conclusions. The nation which submits its case to a court or to arbitrators or to mediators is bound in honor to accept the conclusion reached, if it be within the lines of the submission, and there need be no fear that it will fail to do so. It has taken its case before a forum of reason, and it can only enjoy respect at home and abroad if it abides honorably by the result.

If the propositions thus advanced are right, it is not necessary to look to the creation of any permanent court made upon the lines of the Bar Association, nor upon lines like those of the Olney treaty. What is necessary is to bring about a sentiment which will result in honest and earnest methods to secure the honorable solution of difficulties by the wonted methods of diplomacy, supplemented, if need be, by mediation or by arbitration or by reference to a court.

My third proposition is that the matters which occur between nations giving rise often to long and vexatious negotiations are not, as a rule, questions likely to result in war. I mention this because the idea has seemed to prevail here that the great, if not the sole object in bringing international issues into the forum of reason is to avoid war. In point of fact, labor to avert war is the least work which devolves upon international agents. An American Minister has a threefold duty. First, to present his government as desiring only what is right and reasonable in any matter ; second, to present the matters which will make international intercourse pleasanter and more profitable ; and third, to see that the grievances of individuals are fairly dealt with. It is only in rare and supreme cases that his work touches matters from which war may result. Perhaps we might say that not one issue in ten thousand between nations involves the probability that even a threat of war will be indulged in.

My fourth proposition is that institutions or methods to bring international disputes before a forum of reason should be directed in the first instance to the solution of the thousand and one minor issues as they arise, that here is a broad and constant field, and that practices engendered in this way would be helpful in graver crises. There is no man who has served his government abroad who has not felt that his capacity for usefulness has been impaired by standing for justice in current matters of little international concern. This result does not arise, as a rule, from an indisposition of the government to which he is accredited to do right, but from peculiarities of local laws, institutions and sentiments. An independent forum for such cases would be a boon in the working of international relations and the practice of using such a forum would, undoubtedly, make it easier to provide a like forum for serious questions.



This brings the discussion to the main proposals which have been advanced here, and first to that of Mr. Geo. S. Hale for the promotion of what may be called mediatory tribunals rather than tribunals of arbitrary authority. Why not? If nations are to be expected to submit to advice, so to speak, which they have sought, and if decisions cannot be enforced by authority, why is not the less urgent form of tribunal the better one? If it is not better *per se*, why is it not better as being less likely to arouse hostility? If the Olney treaty had been a treaty providing for mediation, would it have been rejected, and if accepted, would it not have accomplished a large measure of good?

It may be presumptuous to question the Bar Association proposal, but I may at least suggest that it aims too high for our day. As between America and England it might be wrought out, or, as between America and France. But what can be said of the prospect that it would be accepted in principle by a considerable number of nations, both as between them and our country, and as between themselves? We may move forward step by step, but we can hardly expect to do so by leaps and bounds.

High authority has been quoted here in favor of the proposition that this body should formulate a plan for a general arbitration scheme. I submit the counter proposition that that is just the thing we should not do. Each country has its own institutions and laws and is controlled by its own sentiments and needs. It is work for our Executive to fit means to ends in individual cases. It may be that a court like that proposed by the Bar Association will do in one case, that a court of arbitration of more or less scope will fit another case, that a mediatory body will be best in another case. The forum must be such forum as can be had and such as will suit the requirements of the situation in the given case.

Good work in diplomacy springs, not from high aims and not from a desire to bring in the millennium, but from the ability to appreciate what is serious and what is feasible, and what methods may be used to secure results. The best international agent is the man who possesses common sense in an uncommon degree. Speaking from the standpoint of diplomacy or of common sense as you will, I should sum up the situation very briefly. A treaty has been negotiated with England and rejected by the Senate by a minority vote. It has the sympathy and approval of England and of America, of our administration and of theirs. The President could bring it again before the Senate, modified, if need be. The unfinished work could be pressed to completion in this way. Let our effort be with the Executive and the Senate to effect this. And if this be our effort we shall certainly advance our cause in the public mind. Other efforts may be practical, but this is the one which is so in an eminent degree.

## ADDRESS OF COL. GEORGE E. WARING, JR.

*Mr. President, Ladies and Gentlemen,* — I came to this Conference as a learner, with no opinions formed and with no knowledge as to the details of what has been done. I came to listen, and to gather such wisdom as I might. All that I can do is to give some impressions that have entered my mind as I have been sitting in this room.

Many suggestions have been made, not all of them practical, some with high promise, and some of a character that would seem to make it necessary that they should wait for the world to catch up with them. It seems to me, in the first place, that too little account has been taken of human nature. The peoples for whom a system of arbitration is to be proposed are not made up of the kind of trained minds that we have in this room; we have to deal with human nature in all of its aspects, and human nature, as we know, has its very rough side. It is not more than ten generations since the first suggestion of the adoption of peaceful methods for settling international disputes was made. It is not more than five generations since those suggestions received attention. Since that time we have made gigantic strides; but let us see the material on which we have to work. It is thousands of generations ago that mankind began its feeble struggle toward civilization, and during pretty nearly all of that time that progress was made by dint of a struggle against the brute forces of nature, and the more brutal nature of man. While we ourselves may have eliminated the brute element, we have not altogether eliminated it among the millions of people whom we have to consider. Ought we not, therefore, to be glad that we have gone so far?

Another matter which has struck my attention especially has been the repeated expressions of deprecation of the growing custom of introducing military drill into schools. It seems to me that that custom is altogether wise and beneficent. All advance in the regulation of the work of masses of men has to be effected by discipline, organization, the ability to command and the habit of obedience. The world has found, in all its long struggle, that the best system for developing organization and the discipline of command and obedience has been along the lines of military operations. There is, in my judgment, no way in which any body of men can be made so effective, so obedient, so reasonable, as by the subjection of those persons when young to military discipline and military training. I do not at all believe that the training given either to young men in schools or to older young men in military companies has any tendency towards fostering war. They like to "play soldier"; they are not looking forward to the day when they shall be real soldiers and have to suffer the discomforts and dangers of war.

We have a danger in this country which is serious, and which is an incident of the maintenance of our regular army and navy. I am very far from thinking that these ought to be set aside, or that they



are doing more harm than good ; but I wish some way might be found to prevent the danger arising from them. During the Chilian excitement, I was sitting one morning at breakfast in the Army and Navy Club in Washington, when a young gentleman, coming in, was accosted by another in the room, who said, "What is the news this morning?" "Very bad news," was the answer ; "I walked down town with the Chairman of the House committee on military affairs, and he says there will be no war." It seems to me that this indicates where our danger lies. We have a class of men in the army and navy whose trade it is to get higher up in rank, and the best way in which they can accomplish this is by having a war to kill off the men above them. They are not trained to consider, as much as they ought, the effect on the people at large of what General Sherman so wisely and sensibly called "Hell."

One other thing has struck me forcibly. The cause of arbitration has obviously advanced very near to its completion. The form that it has taken is a form that is satisfactory to wise men who have considered it with great care in all its bearings,—men who are far more able than all of us together to decide what is best and what is practicable. It seems to me that the way to get forward with our work is simply to hold fast to what we have got. We have got, as has been well shown this evening, a very satisfactory project for a treaty of arbitration. We have got for that the assent of the administration of two countries and the cordial sympathy of the people of two countries. For heaven's sake let us hold on, and devote our energies entirely to converting to our way of thinking those senators who need conversion ! And let us possess our souls in very active and industrious patience until that time comes.

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#### ADDRESS OF PRES. JAMES M. TAYLOR.

*Ladies and Gentlemen,* — I am accustomed to think that when any great purpose of this sort is set before men, it has to work out its slow accomplishment through the whole history of man. I do not know why men should be discouraged because of this; if we can learn what the purpose of Providence is, and what the methods of Providence are, to ally ourselves with that purpose and those methods is the part of wisdom. Now, if anything is to be learned from the history of mankind, it is that no great purpose has been wrought out without slow advances, without constantly meeting opposition of all kinds. Nothing has yet been accomplished that will not continue to require from us close attention; we have not come to feel that even our liberty can be left to take care of itself. The idea that we can lay aside our armor and remain quiet and leave a reform to work out its fulfillment is absurd. Vigilance and renewed

effort and the constant lifting up of old standards are essential if any cause is to maintain its progress.

So in regard to peace among nations, if we have that masterly patience to which Colonel Waring has just referred, we have everything to encourage us as we look over what has been accomplished within a few years. I was reading the other day an able article by a university professor upon the law of international recognition, bearing especially upon the relation of the United States to the recognition of Cuba. This whole subject of international law has been working, working, gradually and surely, toward this very end of peace. Not a single point that was laid down in the able article to which I refer but that had been a step toward peace between the nations; not a single law had really been accepted which has not the clearest bearing upon the fact that we are still at peace with Spain. Now, if international law is working for peace in this direction and that, then the domain of peace is spreading, and the restraints upon the warlike tendencies of men are developing. And then, who of us can look upon the economic conditions of the world and their improvement within the past few generations without noting that they are making toward peace? When you think of the economic side of the great armaments of Europe, of the economic considerations that are borne in upon us by the very prospect of war, we see how these things have been working steadily, educating men (not in the way most agreeable to us, perhaps) through very necessity in the direction of peace.

Further, if we look at the growth of the idea of the solidarity of the race, the principle of brotherhood, we see that it has developed steadily, not only in our own Anglo-Saxon race, but in all the world, until men are coming to see and feel, through sheer necessity, that the world has grown smaller as we have grown larger. It is no longer possible for any nation upon this planet to look at itself or at other nations as nations regarded themselves and others a few generations ago. Through these great principles of nature, through these principles that have been illustrating themselves through the whole history of mankind, we seem to be working in the direction of peace. Of course we are so working. The visions of the old prophet Isaiah were simply the ideas of Providence, and if the world advances at all it must work toward them. So it seems to me that we have every reason for an optimistic view of the situation.

Practically, I have been much impressed, as I have listened to the arguments to-night, with the idea so ably put before us, that this present treaty represents, on the whole, the best for which the two great nations represented in this matter are prepared. It seems to me that, with such improvements as may be added to it, we must work toward it, no matter for how much more we may be working, as the best that we can gain at present. In any case, we must work !

General discussion was then invited.



HON. E. B. HINSDALE : Every lawyer in this room understands the progress and growth of the system of common law under which English and American institutions have developed. It is the system which has eliminated force as between individuals and brought law into play. Now on a larger scale we are seeking to bring law into play between nations as a substitute for force. But a system of law must be developed first. You cannot codify a system of law until it has first been created by precedents established by experience. Our whole system of common law thus grew out of precedent.

Every arbitration treaty, every consummated arbitration, paves the way toward something permanent, — that is to say, it is a precedent. It instructs the people, it guides the nations, it points the way to a system of law. Magnificent progress has been made in developing the idea of the substitution of arbitration for war ; but we are going to advance by slower processes than many people believe possible. Time alone will develop the system. Nothing, therefore, has been lost by the defeat of the treaty, and little would have been gained by its adoption ; for if it had not worked well, then by gradual experience a remedy would have had to be found for its defects. What we need to do is not to lose the idea of arbitration ; to instruct and develop and enforce it on all occasions ; but to remember that the system by which nations shall arbitrate their differences must grow out of experience, and cannot be formulated at once in any man's mind.

COL. CHURCH : The excellent address of Mr. Seward has suggested to me an historical precedent, to which I would like to call attention.

You will remember the arbitration with England, which settled the various contentions between this country and that, under what was known as the Clarendon-Johnson treaty. That treaty was negotiated by Lord Clarendon and Mr. Reverdy Johnson, who was at that time our Minister to England. The treaty was sent to the Senate for discussion, and was rejected with very scant ceremony. There is hardly a precedent in our history for such treatment ; certainly the settlement of our difficulties with England could not be left in worse condition than then. After a time, however, difficulties arose between France and Germany ; the English government began to see that they were in danger of trouble from the precedent they had established, and they became extremely anxious to reopen negotiations for the treaty. Through Sir John Rhodes, if I remember rightly, who had immediate connection with an American banking house, a movement was made at Washington, and Sir Edward Thornton opened negotiations with Mr. Fish, who was our Secretary of State. He began in the usual diplomatic way, proposing something he did not intend in order to accomplish what he hoped for ; he suggested an arbitration upon some trifling matter, and then Mr. Fish, seeing what was intended, suggested that if they were going into this arbitration it might be well to go a little further. The result was the most complete vindication of the system of arbitration

in our history; we were able to say, for the first time, that every cause of dispute was swept away. The Alabama question was settled, the way was opened for the termination of the fishery dispute, and the northwestern boundary question was settled.

It seems to me that that precedent is full of encouragement. As Mr. Seward suggests, there is a possibility of renewing these negotiations. We are not at the end of this fight by any means.

I have thought, as I have listened to some of the remarks upon the Senate of the United States, of the story I have heard of a gentleman who was traveling in the West. In a frontier town he stopped at a concert hall where every man was an arsenal of weapons. The band was playing somewhat discordantly, and over the bandstand was a sign which read: "Gentlemen will please not shoot the musicians. They are doing their level best." I have no doubt that the senators are doing their level best, and if we give them a chance they will do still better.

REV. GEORGE P. MAINS, D.D.: I, too, believe that we ought to be patient with the senators. I have no sympathy with any censure pronounced upon these men; doubtless most of them acted conscientiously. But I am increasingly impressed with the fact that the failure to ratify this treaty was a misfortune of great magnitude. I do not believe that there is any danger of a rupture between the mother country and this country because of the fact that the treaty was not ratified; but its ratification, the notification to all the world that these two great Anglo-Saxon nations had entered into such a compact, would have been of immeasurable value to the civilization of the world.

I am impressed with the conviction that if we make any recommendation at all as to policy, we should recommend that action be limited to the plan which has been already suggested, as between England and this country. We are in danger of overestimating the readiness of most of the European civilizations for such a court as has been outlined here. I doubt if Germany, I doubt if several of the continental nations, are in any degree of ripeness for the reception of a universal court of arbitration. It would be, however, a consummation devoutly to be wished if the two great Anglo-Saxon civilizations—those civilizations which, as a matter of manifest destiny, are doubtless to dominate the world—could come together and let it be known to all the world that they stand in bonds of amity. The introduction of such a measure would be in itself an education, and its influence would spread until all Europe, and ultimately the world, would come under its bond, and the prophecy of the poet would have its fulfillment:

"When the war drum throbs no longer, and the battle flags are furled,  
In the Parliament of Man, the Federation of the World."

MRS. HANNAH J. BAILEY: One of the speakers, in his preliminary address at our first session, said this Conference and all previous



peace conferences had been working partially on wrong lines. They had been looking to heads of governments to settle the peace question, and had been trying to influence them, while we ought to have been striving equally to influence public sentiment. The W. C. T. U., whose peace department I have the honor to represent, is endeavoring especially to influence the public sentiment of the future by promulgating peace principles among the children who are to be our successors, and to influence women especially who are and are to be the mothers of the world, to train their children in the principles of peace rather than of warfare as they have in past ages. This would come under the head of methods rather than measures, but is sufficiently germane to the topic assigned. It is one of the steps that can be taken, and ought to be taken, to bring about international arbitration, and also to establish it.

The subject of peace is one of vital importance to woman. It is her mission to bring life, not death, to this world. It is not consistent with this mission that she should bring sons into the world, and in sorrow and self-sacrifice bring them to noble manhood to be slain in battle. The life of one boy (if he were my boy) is of more value than is the perpetuation of a government. His soul will live when all governments have passed away. It is therefore his right to live out all the days of his appointed time in this state of preparation for eternity.

Peace is related to woman because war breaks up her home. It widows her and makes her children fatherless.

Woman, who suffers so through warfare, certainly desires arbitration. With the banishment of militarism we shall banish myriad evils. With peace we shall bring in all things good.

This life is surely too short for our minds to be continually employed with strife. In the home, in the world, everywhere, we want to be like the little girl who, when asked if she struck back a child who had just struck her, replied, "No, I left her to God."

The world greatly needs to-day a return of that type of Christianity taught and practised by Christ and his apostles and the early church. The world needs broadening. The minds of men and women need to look beyond their own countries and to see that every land is a part of the brotherhood of nations.

We hope to see the discontinuance of the manufacture of military toys for children, the toy pistols and guns particularly, which have occasioned so many accidental deaths. We want to see the end of military education for children, and we hope the time is not far distant when the war stories which now have a place in the books which our children read and study will be expunged, and their places occupied with stories and incidents written in the interests of peace and peaceful pursuits. We are sure this will be brought about if Christian women do their duty and exert an influence to fulfill the prediction of the song of the angels, "Peace on earth."

That coveted time when there will be a brotherhood of nations is surely coming, and we rejoice that women can have a part in hastening its advent.

REV. PHILIP S. MOXOM, D.D., of Springfield, Mass., was then asked to make the closing address of the evening.

## ADDRESS OF REV. PHILIP S. MOXOM, D.D.

*Mr. Chairman, Ladies and Gentlemen,* — I find myself “in a state of mind.” I have been listening with a great deal of sympathy to the last address which we have heard. I feel profound sympathy with the speaker’s view of the relation of woman to war. But I cannot escape the influence of certain memories. I cannot get away from the picture of a small boy, who, I hope, will some day serve his country, who sometimes begs me efficaciously to tell him stories of the war. And I tell them; but I think I tell them in such a way that his heart beats higher with a loyal patriotism, and that because of them he will make a better man.

The one thing that comes clearly to my mind through all this discussion, as the point at which we are to aim, is the accomplishment of the ratification of a treaty of peace between the United States and Great Britain. There are many minor questions that come up which have been stated and urged with great force and point, — questions with reference to the character of the tribunal, and as to whether its decisions should be authoritative. But I am inclined to think that we are in danger of attaching more importance to such details at this stage of the question than they deserve in comparison with the main question. If a court of arbitration render a decision, and that decision is made final, what authority is there to enforce it? Just exactly the same authority, and no more, as there is to enforce it if the decision is advisory rather than final. The main thing, above everything else, taking precedence of everything else, is to get that fruitful *pause* of nations who stand upon the brink of a possible struggle. (Applause.)

It is that which a treaty will accomplish. Nations do respect treaties, and however exasperating may be the cause, however high the public sentiment may run in this nation or in that, the existence of a definite treaty, pledging those nations to arbitrate difficulties, gives the needful pause which suffers the disturbed feelings to grow calm, and reason to resume her throne. I fear no war where such a treaty is established between two such peoples as those of the United States and Great Britain from now to the millennium. There is no slightest abandonment of our moral freedom.

May I interject the remark here that during the past months, though I have read with some care the reports of discussions and debates, I have yet failed to see a single reason that in the court of the civilized intellect was respectable against the treaty which has been rejected by our Senate. Arguments have been urged, specious reasons have been stated, but a valid reason that would appeal to



your mind or to mine, in the statement of a concrete case of difficulty, I have yet failed to see, and I should be thankful if any member of this Conference could indicate such a reason. If there is such a reason, we ought to know and consider it and seek its removal. Causes for the action of various senators have been stated, and they may be valid causes in their state of mind and the state of mind of their constituents ; but I submit that there has been no true reason given. We should seek the ratification of this treaty, or such a treaty, pushing steadily for this main end, in order to get that pause before action which will be so efficacious, assured that details will settle themselves as emergencies arise, and that the body of international law regulating such cases will grow, as time passes, until such a treaty, which will stand as a temporary dike, if you please, in the minds of many, will have grown rapidly by accretions to a continental obstruction to the floods of war.

I need not dwell longer upon that. The one clear thing that we ought to seek is the accomplishment of this treaty between these two peoples, because, despite all differences geographical and political, we are essentially one. It was said to-day that we are not one, and that that is sentiment. It is the testimony of history that the Anglo-Saxon race assimilates and is never itself assimilated. It is the dominant element ; it comes to the top ; it rules. It rules in America to-day. And though we have had peoples poured in from all European nations, it is the Anglo-Saxon, refined and sublimated in the American type, that sits in the saddle and guides this country ; and it will be so as long as the country exists. We may like it or we may not like it ; some of us like it exceedingly ; but it is a truth that we cannot escape. The language which to-day commands the speech of a hundred and twenty millions of people is to be the dominant language, as the motive which inspires that people is to be the controlling motive of the civilization of the future. There is no rashness in making a prophecy like that. Let England and America set an example before the world, — such an example as they would set in ratifying this treaty, — and it will give pause to every other nation of Europe or any other part of the world, before it involves itself in war with either of these Powers, or in war with any other.

I wish to trench for a moment upon the discussion of to-morrow, and I justify myself in doing so because it is so exactly germane to this one main point which is before us. Two things we need to do, we who are working for peace, you and I. And I speak of myself in that personal sense because in every fiber of my body, in every pulse of my heart, I am a soldier, bred and nurtured in the traditions of the soldier, my aspirations and ambitions kindled by the ideals of the soldier. Before I was fourteen I was on the battlefield, and the drum and fife will set my blood to tingling to-day as powerfully as thirty years ago. But I believe reason has her throne, and I believe in peace, and I mean to work for it, and, if need be, to fight for it ! We who are here ought to work for two things. The first is to cultivate in all rational ways what is almost a new sense, but which

is appearing in the evolution of human society, and that is *the sense of international obligation*, — the sense that a nation, like an individual, is bound to consider questions of right with reference to other nations. It is bound to consider questions of right in its commercial as well as in its geographical relations. Whether you view it from the point of view of evolution or from the point of view of divine revelation (and we shall find by and by that they are one), we are bound to consider other nations under the universal law of right. And the more that idea is inculcated, not only in our schools and in our churches, but in all our associations and in our political life, the sooner we shall help on the day when nations shall no longer seek to settle their difficulties, as boys settle theirs, by punching each other's heads.

The second thing is to cultivate in ourselves and in all our people *trust in moral forces*. We have not got so far away from the brute yet that we do not trust a great deal more in brute force than there is any need of in the present stage of the world. The trust in moral forces is the triumph of reason and of righteousness. Why should nations begin to blow each other's brains out with cannon and gatling guns? It is a great deal better to put each other's brains to a good hard wrestle, and, if need be, give each other a fall in the arena of debate, than it is to do that which settles nothing, and which only keeps alive the animalism which is still in all of us, and which is very large in the Anglo-Saxon. I am in the habit of saying that at the bottom of every Anglo-Saxon (all in all, he is the most magnificent man on the planet) there is a big beast. This beast must be chained and subdued, and then by some subtle process sublimated into the force of a disciplined and powerful manhood.

I have a small boy who was clamorous at table the other day, and his brother, speaking across the table, said to him, "You want the earth, don't you?" "No," said the small boy, "but the fullness thereof!" We want, not the earth, but the fullness of reason and judgment and righteousness and peace. (Applause.)

HON. W. MARTIN JONES of Rochester moved that, on account of the great interest felt in the Platform to be presented, and the importance of its rightly representing the views of the members, the Business Committee be requested to present it at the beginning of the morning session, that sufficient time might be given for its consideration.

The motion was seconded by Rev. Joseph May of Philadelphia, and subsequently amended by Rev. Philip S. Moxom by the suggestion that an extra session be held on the afternoon of Friday, especially for the consideration of the Platform. After some discussion, however, the motion was withdrawn, and the Conference adjourned until Friday morning.



## Fifth Session.

Friday Morning, June 4, 1897.

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THE Conference was called to order at ten o'clock A.M. by the President.

MR. CAPEN, for the Business Committee, moved that the Committee on Printing be requested to print five thousand copies of the proceedings of this Conference, with such additional copies as the funds which are received will warrant.

MR. JAMES WOOD asked that the resolution lie on the table until the Finance Committee should make its report. It was so ordered.

MR. ROBERT TREAT PAINE reported that, as Auditor, he had examined the accounts of the Treasurer and seen the vouchers, and had found all correct. His report was accepted and approved.

MR. CAPEN reported the resolution referring to Queen Victoria's Jubilee, which had been offered at an earlier session by Mr. James G. Beemer. On motion of Major Marshal H. Bright, a rising vote was taken, and the resolution was unanimously passed. The following is the wording of the message sent :

QUEEN VICTORIA, London :

The Lake Mohonk Conference on International Arbitration congratulates Queen Victoria on this happy Jubilee with the hope that peace between Her land and ours may continue through all coming ages.

Signed { GEORGE F. EDMUNDS.  
ALBERT K. SMILEY.

The Queen sent the following reply on the 16th of June :

FOREIGN OFFICE, June 16, 1897.

*Gentlemen :* I have received the commands of the Queen to acknowledge the receipt of your telegram of the 5th instant, conveying the congratulations of the Lake Mohonk Conference on International Arbitration on the occasion of the forthcoming celebration of the sixtieth anniversary of Her Majesty's accession to the throne ; and I am to express Her Majesty's appreciation of the kind sentiments conveyed to Her in your message.

I am, Gentlemen,

Your most obedient servant,

(Signed) SALISBURY.

MESSRS. EDMUNDS and SMILEY,  
International Arbitration Conference, Lake Mohonk.

The subject of the morning's discussion was announced to be "The Education and Influencing of Public Opinion." The opening address was made by HON. ROBERT TREAT PAINE of Boston.

## ADDRESS OF HON. ROBERT TREAT PAINE.

*Mr. President, Ladies and Gentlemen,*—We have met here upon this mountain top to take counsel how we can promote this cause of international arbitration. We gather strength from meeting strong men deeply interested in the cause, who come from many cities over our broad land. I feel sure that we have gained wisdom from the interchange of counsel that has taken place; we feel less depressed, we feel more sure of the triumph of our cause. Now our special theme this morning is, What can we do to promote the spread of this great interest by educating, arousing, stimulating, guiding, creating public sentiment?

If public opinion is changeable,— "*varium et mutabile semper*," as the poet irreverently described the former woman (not the new one),— then we may abandon all hope and go home. If public opinion rests upon conscience, if *vox populi* is *vox dei*, then we may pursue our struggles with confident hope. Now where does our confidence lie? For we cannot influence public opinion, we cannot arouse the public conscience, unless first we are sure we are right. Why are we right? In my judgment, it is because this movement for international arbitration rests upon the fundamental principle of international justice. If arbitration were a tool that could be used Monday and disused Tuesday, if it were a wagon that could be laid aside and some other vehicle employed, we should have no hope. But if it is eternal, essential and fundamental, then we may liken it to that wagon which Emerson proposed to hitch to a star. But I prefer to use the simile which compares arbitration and its progress to a ladder; if it be a ladder we have no reason to be discouraged, though most of us cannot mount to the top, as my friend Dr. Hale would, at one supreme bound. Dr. Hale would give us the Supreme Court of Arbitration instantly, and at the same time, with what seems to me fascinating inconsistency, he proclaims himself an "edge-of-the-wedge-man,"— which I am. I am willing, therefore, to climb out of the Slough of Despond, up this ladder, one rung at a time, remembering that the top of the ladder is, where Jacob found it, leading into heaven. I am not quite so confident as our host is that a few years will find us at the top; I fear we are engaged in an eternal work, and that this effort to introduce justice among the nations is one that will lead us and our descendants on and employ them during all coming ages. It is an eternal, but a glorious task.

Though we came here somewhat depressed at the failure of the Senate, I for one was relieved and delighted at that summary which



Dr. Trueblood gave, showing how this year has marked a greater advance in the progress of international arbitration than any previous year in the world's history. (Applause.) The defeat by the Senate I regard as a blessing in disguise, — not a permanent defeat, but a temporary check, which enables us to appeal with confidence to the pulpit, press and people, to all organizations of trade, commerce or labor, to put on the whole armor of God and gird themselves up so that the next effort shall be a triumphant success.

Some of our friends have thought that the Senate was guilty — I hardly like to repeat the word — of a crime in defeating the treaty. But I think sober second thoughts will lead us to the conclusion that the minority, — and we delight to remember that the treaty was supported by a powerful majority in the Senate, as in the whole country, — the minority were honestly led, by mistaken reasons, to oppose the treaty. From Judge Stiness and from our honored Chairman we have had admirably clear statements about the treaty and the reasons used against it. One of the arguments used against it was that it was an English manœuvre to entrap America. But we delight to remember — let the American people never forget — that this treaty is a consummation of American policy. We recall with pleasure that the first movement in this direction began with the invitation of the Pan-American Congress in 1888, to which Mr. Blaine gave those magnificent words of welcome, dear to every friend of the cause of international arbitration. Following up a resolve passed, I believe, unanimously by both branches of Congress in April, 1890, a circular letter was issued, over the signature of Mr. Blaine, to all civilized countries, inviting them to make with us treaties of arbitration. This invitation, issued by us in 1890, was accepted by England on a memorable day in 1893, and accepted by France two or three years later; other nations are following. This is American policy; let that great truth be burned into our memories. It is a part of the mission of our country to create peace; let us not be disloyal.

Let us remember the glorious privilege of great responsibility. Let us remember the great responsibility that comes with glorious privilege. Then, if we can gather up these thoughts and ask the pulpit to go on urging them as it has, and the press to take up this idea and spread it broadcast across the land, — if we can convince the conscience of the people, and those other great powers, the labor organizations and the rest, how can we fail?

To say in one last word what I think we ought to do, it is to have the treaty consummated. I cannot follow the brilliant vision of Dr. Hale of a Minister to go through the nations and induce them to join us in some new scheme. I believe that the treaty which Mr. Olney worked out, first persuading Lord Salisbury and then presenting it to the English public and to our country, — that that treaty is a product of human genius which, the more it is studied, the more we shall be delighted to support and to urge. If Mr. Sherman and President McKinley desire to engraft improvements upon it, of

course we will welcome them. But in its main outlines that treaty seems to me worthy of being made with England, with France, with Italy, with Switzerland, and the rest, one after another, until our cause makes such wide progress that when we meet here, a few years hence, we shall look back on 1897 as ancient history.

The next speaker was MISS LUCIA TRUE AMES of Boston.

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### ADDRESS OF MISS LUCIA T. AMES.

*Mr. President, Gentlemen and Ladies,*—This subject of education as related to arbitration naturally divides itself into three divisions: first, the extent of the particular kind of ignorance which we are here to consider; second, the nature of that ignorance; third, the remedies for that ignorance.

Ten years ago I wrote to the superintendent of schools in Chicago and asked him how many children left school before they had studied United States history. He replied that seventy-five per cent did so before hearing any historical stories, and that ninety per cent left school before they had studied history proper. I made the same inquiry of the state librarian of Wisconsin, and he gave an even more startling reply. I think he said that ninety-five per cent of the children of Wisconsin did not study United States history. The inferences from this are so obvious that I will not take time to state them. While we may admit that there has been some progress in ten years, and that some states show larger proportions studying history, yet it is fair to say that at least four-fifths, if not nine-tenths, of the children in this country leave school without having had any adequate training in the one thing which is certainly prerequisite to intelligent voting,—that is, a knowledge of the elements of United States history.

Three years ago, at the World's Fair in Chicago, I went into the educational department of the Illinois Building, where I saw a large placard with some very interesting statistics. They showed that in the state of Illinois 809,000 children were in the public schools; that of these about 7000 were boys in high schools, and about 14,000 were girls in high schools. This meant that in a typical state only three per cent were getting anything more than the grammar school offers, and that over one hundred per cent more girls than boys were getting a higher education,—that is, were studying whatever of history is taught after United States history, namely, English, Roman and Greek history, besides civics, ethics, literature, and those studies which will best fit them to deal with such matters as we are here to consider. I do not know how accurately that represents the condition to-day, but I think it is safe to



say that in most of the states from fifty to one hundred and fifty per cent more girls are getting this higher education than are the boys, who are to be the voters and legislators and are to settle questions of public policy.

Had I suspected that, on this my first visit to Mohonk, I should be called upon to speak, I should have provided myself with statistics which would be accurate up to date.

Since the war a large part (probably nine-tenths) of the education of the people of the United States has been put into the hands of women, ambitious, self-sacrificing women, who are often doing for their pupils the work of the home and the church as well as of the school, but who often are uncultivated women,—women who are paid on an average less than Colonel Waring pays his street-sweepers! That, I am told, is seven hundred and twenty dollars a year; it is much more than is paid to the average school-teacher in the United States for doing the most delicate, difficult and important work that any citizen is doing.

In the matter of text-books on American history I cannot take the optimistic view of the president of Roanoke College; I am inclined to think that our text-books and teaching—perhaps more by omissions than by positive statements—inculcate a feeling of bitterness toward England. A report recently circulated by our Commissioner of Education upon this whole matter shows how conscientiously and fairly English text-books have taught the history of the war of the Revolution. I am quite ashamed to say how recently it was that I learned from Mr. John Fiske the truth that the war of the Revolution was not fought between Americans as a unit and English as a unit, but between the progressive party and the retrogressive party on both sides of the Atlantic. American history is not taught in that way, and it ought so to be taught. We forget the great number of Tories that we had in America, and we forget the friends we had in England. Americans abroad are often politely careful not to mention Bunker Hill or the Fourth of July; but I never met an Englishman in my life who did not think of them exactly as we do. Much of the objection to arbitration is due to sheer ignorance of history, and much to gross ignorance of the present animus of the English people.

I am glad that Colonel Waring called our attention last night to the fact that we neglect certain things in human nature which ought to be considered. The writers of text-books and the teachers sometimes forget that the natural child is a natural bigot. The child reasons, "My father," or "My country, is good to me"; then, "Whatever my father or my country does must be entirely right, and whatever is, or was, opposed to them must be entirely wrong." Liberal-minded parents are sometimes astounded to find what partisanship and bitterness their children reveal when they have neglected to give explicit instruction to counteract the youngsters' false impressions. I remember that at the age of eight I marveled that the Almighty did not annihilate all Roman Catholics, Jews,

Unitarians, and all other obnoxious and dangerous persons who did not hold my father's creed. I was sure that if I had omnipotence I would sweep them off from the face of the earth. (Aside) I should have had no mercy on you, Dr. Hale. I wouldn't have let you cumber the ground! (Laughter.)

A little girl one day rushed home from Sunday School with the eager inquiry, "Mother, was Jesus a Jew? Teacher says he was a Jew." "Why, yes," said the mother; "certainly he was a Jew." "But how can that be?" queried the perplexed child, "for he was the Son of God, and God is *Presbyterian!*" (Laughter.)

In teaching history no less than in teaching religion the wise teacher must remember that the more sensitive and loyal the child, the more she needs guard against permitting him to harbor prejudices and narrow views.

In regard to the matter of expunging all stories of war from our children's books, as some one desired, it seems to me we need not draw a hard-and-fast rule. I should be very sorry to omit those parts of the Old Testament and of Homer which deal with war. I do not believe it ever hurt a healthy boy to read about Hector and Achilles or David and Goliath. I should certainly recommend some of the hot-headed youth imbued with the "jingo" spirit, who have not the faintest idea what war means, to read that marvelous book by Zola, "*La Débâcle*." I believe that no one can rise from reading that sickening account of the horror of the Franco-Prussian War without seeing war forever freed from all false glamour. We need not fear to let children read of war, provided they are taught that it is the most savage and most foolish method ever discovered for settling disputes.

A few years ago I should have thought it insulting and unjust to say that in my own circle of society I could find people who unconsciously are at heart anarchists and traitors. But I have been astounded to find in professional and business circles kind-hearted and intelligent men and women who know the rule for the dative case and can discuss the merits of Monet and Brahms, who are yet ignorant — I will not say of arbitration — but of the first principles of civilization. They talk with complacency and approval of atrocious defiance of law in the case of lynchings. They have read history, but to no purpose. They know not by what slow toil and bloody sweat we have put around us the safeguards of the law. They would serenely consent to a policy which would plunge us back into barbarism. They have even pleaded to me the cheapness of the method and the trouble that it saved the courts! I am not speaking of Alabama or Texas, but of my beloved Bay State, when I say there are many there who need to be taught that, when a mob removes from jail and hangs a convicted criminal, it is committing both murder and treason. If such deeds can be approved or condoned by good Massachusetts citizens, what wonder that they are committed elsewhere! We need again to teach the first principles which Hosea Biglow tried to teach us so long ago:



“ The plough, the axe, the mill,  
 All kin's o' labor an' all kin's o' skill,  
 Would be a rabbit in a wile-cat's claw,  
 Ef 't war n't for thet slow critter, 'stablished law;  
 Onsettle *thet*, an' all the world goes whiz.”

Part of the work for arbitration which we, as women, have to do is to begin by teaching in our own circles the fundamental principles of law and order and justice. (Applause.)

There has been, there still is, a superstition that we have a government of the people, by the people and for the people. I hope that some day it will be true; but I think our teachers ought to teach us that it is not so now. In more than one state we have a government over the people, by the politicians, for the few. And in the nation at large, so long as it is possible for a President to be elected by a minority, as has been true nine times in our history; so long as it is possible for a handful of people in Mott Street and Hester Street to turn the thirty-six electoral votes of New York all one way or all the opposite way; so long as it is possible for Massachusetts to be represented by thirteen men, who should stand six to seven, but have stood twelve to one, — so long we do not get an adequate representation of the will of the people. I hope you do not think I am speaking of an irrelevant matter in introducing this subject of proportional representation; so much has been said here about the will of the people and adequate representation that it seems to me pertinent.

I was glad that two of the speakers yesterday touched on the economic aspects of the arbitration question. That is a matter to which all women and teachers need to give their special consideration. It is a vital matter; it is one about which we are grossly ignorant, and such ignorance is dangerous. I heard the other day that one of our eminent speakers had been doing a little figuring in regard to the indirect expense of the dedication of the Grant Monument, which itself cost four hundred thousand dollars. He showed that, without counting in the loss of labor during the holiday, between six and seven million dollars was spent by the people in going and coming and paying incidental expenses. I take that as an illustration of what I want to say, which is, that our indirect losses are often greater than direct ones, and are rarely estimated; in times of peace nine hundred million dollars annually is spent by Europe for the support of armies and navies. I should like some clever gentleman to do a little figuring on the unconscious expenditure in the matter of war. And I should be very glad if his facts could be put in some graphic form where people could read and consider them, — for instance, in the street cars, sandwiched in between advertisements of “Columbia Bicycles” and “Ayer's Sarsaparilla,” where he who rides may read. I believe more people would be reached in that way than by an edition of fifty thousand copies of the proceedings of this Conference, and that to the business man these facts would be more persuasive than all our arguments. The

folly of war, when other means of settlement of difficulties are possible, would be proved to be even more incredible than its wickedness.

Emerson said, "The Americans have many virtues, but they have not faith and hope." Of course we have faith in ourselves and in the almighty dollar; but that was not what Emerson meant. He meant faith in the invisible. To create this faith is the work which we privileged women chiefly are to do in helping on this cause of peace; we are to teach faith and to teach hope, and we must give reason for the hope and faith that are in us. Emerson has also said, "The measure or gauge of intellectual attainment is the power to perceive identity." *We* gauge men by their diplomas and degrees and fame; Emerson, by their power to perceive identity. That is a very profound insight. It was the perception of the identity of the forces of nature which made the theist out of the polytheist. It is the perception of identity which has given us nearly all the science we have to-day, including the doctrines of evolution and the correlation of forces. It is that perception which made Garrison and Phillips see under the skin of the black man a soul identical with their own,—a child of God. It is that perception of the identity of human interests and human rights which is moving us all here to-day. We are not, first of all, Americans; we are, first of all, human beings; we are, first of all, God's children, and we have identical interests with all God's children all over the face of the earth. That is what we need to feel and what we need to teach. We must teach patriotism in a new way; the raising of the flag on the schoolhouse is well enough, but it does not go far to develop true patriotism. We are not to teach that patriotism is a matter of pride in our country or of boasting about our country, but that it is purely a matter of service for our country,—service which must begin with our own ward and help the nation by bettering that little part of the nation for which we are responsible,—civic service, with its hard, unpaid drudgery, such as people like Mr. Capen are doing every day of their lives.

What finer example of the spirit which Emerson loved can be found for my closing words than in the lines of Lowell's "Present Crisis," that noblest lyric of the century:

"For mankind are one in spirit, and an instinct bears along,  
Round the earth's electric circle, the swift flash of right or wrong;  
Whether conscious or unconscious, yet Humanity's vast frame  
Through its ocean-sundered fibers feels the gush of joy or shame;—  
In the gain or loss of one race all the rest have equal claim."

(Applause.)

MR. EDMUNDS: The Chair would like to mention, in respect of the observations of Miss Ames upon the importance of home instruction and the faith in the father and mother, which is the first ideal of the boy, a very brief anecdote of his own experience. Some



years ago, going into the northern woods of Michigan, bent on war with deer and bear, I was in advance of the rest of the party, on foot, when I came to a crossroad in the woods where was a little log house. I found a bright little boy, nine or ten years old, standing at the corner of the fence, and I asked him which road I should take to reach a certain milling camp which was our point of destination. With perfect good nature, but with a continual stream of oaths interlarding his words, he told me. He was a bright, blue-eyed little boy, and spoke good English, and with the utmost politeness. I began to remonstrate with him in as kindly a way as I could. I said, "My little boy, you seem to have been to school; you speak good language, only you swear terribly. Why do you do that? It is not gentlemanly and it is wicked." He looked up to me with perfect self-possession, and said, "'Square, my father swears, and I guess he knows!" And I was put down at once.

That is the foundation of the whole,—the training of the child at home.

We are now to have the pleasure of listening to HON. THOMAS J. MORRIS of Baltimore.

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### ADDRESS OF JUDGE THOMAS J. MORRIS.

*Mr. President, Ladies and Gentlemen,*—After what has just been so ably said with regard to the educational forces which help on to international arbitration, I feel that I can add nothing, and it seems to me that I may speak of how much has already been done in the way of educating and preparing men's minds to accept the decision of an established international court as the arbiter of disputes between nations.

It is but a few centuries since private controversies with regard to property might be settled in England by the wager of battle, and but a short time since in England and America many private wrongs were settled by the duel. But we now live in a time when even the most pugnacious in England and America bring their controversies into court; not only men who have disputes over property and commercial contracts, but those unlucky ones who have suffered in their domestic happiness, artists who have been accused of stealing ideas or copying models, even clubmen who are accused of cheating at cards, now bring their grievances into court. And it is strange how contented the litigants are with the often inadequate and disappointing results.

None know better than those who have to do with administering the law through the courts how inadequate are the results which are arrived at with so much labor, time and expense, but the strivings and experience of the wise and able men who have preceded us have been able to perfect nothing better, and it is amazing after all

how deeply planted in the affections of the English-speaking people their courts are, and how year by year more of the private grievances which were formerly settled in other and often violent ways are brought to them for decision, and how men's minds are more and more accustomed to the idea that if they cannot settle their disputes by their own good sense, the only other thing to do is to fight them out before a tribunal established to investigate and decide them.

What has been accomplished in this direction in respect to private disputes gives promise of what will be accomplished in respect to international disputes. It shows that we are building upon a structure which experience has demonstrated to be suitable and fitted to the genius of our people. We feel that we are not tearing down the old in order to build up afresh, but are expanding and adapting to a wider use an honored institution, which has centuries of increasing approval behind it, and in which the people of our race have confidence and to which they yield obedience.

There is another consideration which occurs to me as indicating that international arbitration, which is in effect the submission of international disputes to a court, is the natural outgrowth of the general resort to courts in private disputes.

It is but a few years ago since the notion prevailed and appeared very deeply rooted that no government could allow itself to be sued. It was said to be abhorrent to all ideas of sovereignty that the government itself should be summoned into court and judgment entered against it. But about ten years ago, against the opinion of some very wise men, Congress framed a law by which a suit might be brought against the United States in any of the federal courts by any one having a claim arising out of anything in the nature of a contract. There were grave forebodings. I dare say our distinguished President was one of those who took part in the discussion over that bill.

MR. EDMUNDS : I did, but I did n't *forebode*.

JUDGE MORRIS : Well, experience has demonstrated that none of the evil results have followed which it was feared by many would come from that legislation. It was asked : "Are you going to put it in the power of a judge to enter judgment against the United States, and to say how much money a claimant may take out of the treasury?" It was feared that, if this were allowed, the treasury (which used to be a large reservoir) would be emptied. But no evil result has followed. It has been found that judges are as fair and just in respect to a claim against the government as against a private citizen. To be sure, the government does not allow an execution to issue against it to deprive it of the means which it may sometimes need for higher purposes than even paying its debts, and so these judgments are not paid until Congress passes its appropriation ; but the appropriation is ordinarily made by Congress as part of its ordinary budget as regularly as appropriations for any necessary expenses of the government.



The relief that this has been to thousands of honest creditors of the government has been unmistakable, and the law grows in favor and I think will never be repealed. The working of this law is to some extent a practical answer to the objection that it is a lowering of the dignity of a sovereign nation to allow itself to be a party to a suit, and also to the objection that a judgment is futile unless there is a power provided to execute it, and its success assures us that we are on the right road and are reaching out towards things which are not only desirable, but possible and attainable. And so without going into the higher grounds upon which we must believe that in some future time international arbitration will prevail, it seems to me that upon many lower practical grounds we may rest assured that we are advancing in the right direction, and that the trend of opinion and action, the genius and aptitude of English-speaking people, their instincts and institutions, all tend toward the result we are working for and justify in us the conviction that this beneficent result is not far distant.

REV. CHAS. L. THOMPSON, D.D., of New York City, was then introduced, and spoke as follows :

#### ADDRESS OF REV. CHAS. L. THOMPSON, D.D.

*Friends of the Conference*, — I belong to the oldest peace society in the world. Angels sung its prophecies, and my Master gave its charter, and left to the little company of his disciples that one legacy, — legacy great enough and rich enough to make the world rich at last, — that which gathers this Conference here, — Peace. His company of disciples marched on with it, sometimes mistook it, spoke it sometimes with the lips of the cannon, and pointed the way of it with the unsheathed sword. But it has gone on. "Through the ages one increasing purpose runs." It *is* one purpose ; we are just beginning to discern its unity. Dr. Taylor said last night he did not like the word solidarity, but there is no other like it, or that so expresses the last truth of science, physical science, economic science, political science ; it utters our philosophy, it declares our theology.

I was talking the other day to an official of the New York Central, and he said, "Did you ever ride on the Empire State Express?" (You never can talk with a New York Central man five minutes that he does not talk about the Empire State Express.) "Do you know how it is put together?" said he. I said I supposed it was hooked together, like all trains. "No," he said, "it is driven together, from the engine to the rear car, by hydraulic pressure, so that it is one car from the beginning to the end, and what happens to one coach happens to all." Ladies and gentleman, humanity is the Empire State Express driven to unity, — ay, by hydraulic pressure ; for the five salted seas that once divided now drive us together. In the good of every nation all the rest have equal claim.

So we are one, my friends, and we must own it. We are only beginning to own it religiously. The angel of prophecy might alight on Columbia Heights, and look over the fashionable churches, and then down on the sodden depths of the East and the West Sides, where the dark angel of doom seems to spread his wings, and that angel of light and prophecy would say to the fashionable churches on the avenues, as Paul said to the officers, "Except these abide in the ship ye cannot be saved." We are beginning to understand now that if Madison Avenue and Fifth Avenue are to be saved, the East and West Sides must be saved also, and that you can never lift humanity until you lift it *on the level*. Our friend, Dr. Hale, is dreaming a dream, — but it is the fairest, grandest dream of the century, — of plans which shall reach out and cover all nations and bring them into the sweet bonds of peace. We are sailing together, and it is in one boat in the calm or in the storm; we shall all sink or swim together. If there is a panic in Buda-Pesth, to-morrow morning Wall Street will feel the shock. If there is a pestilence in Brazil, our ports will go into quarantine to-morrow morning. If there is an epidemic at the Battery, Murray Hill is not safe. What is thus true is true of the larger federation of the world.

Still, I fear that in this atmosphere we sometimes get a little too confident. Let us remember it is education we are working for. It is a long road; let us not try to foreshorten it, not even by our noble dreams. Not while Russia is ironclad, not while Italy is rejoicing in her new navy, not while Germany is increasing her army, not while France is lying low, not while the sun lights on the new paint and the glittering guns of our new cruisers. No; all is not yet pointing to peace. Do you remember the story of the frogs? A man came to his neighbor and said, "Want some frogs this morning?" "Well, you may send me up a dozen." "A dozen! I am no small dealer. I have two carloads of frogs down here on a side track." "What could I do with a carload? Send me up a dozen." So, for an old friend, the dealer consented, and the man waited for his frogs. Presently the frog dealer came back crestfallen with six little frogs. And he said, "I am sorry; I thought by the noise there were two carloads, but when I opened the doors there were only three little frogs in each car!" (Laughter.) Let us remember that there is a great deal of talk in the world, and that the process of education in the home and the church and the state is the means that must be depended on.

Not even arbitration treaties, whether between England and the United States alone or between all nations together, will do, unless we think alike and feel alike and love alike and have common hopes and sympathies that are beyond and beneath the bonds of a compact. Do you know the story about the minister who came to call on a family in his parish and found the husband and wife quarreling and almost throwing stools at each other's heads? The dominie held up his hands in horror, and said, "My friends, this is not seemly." He looked toward the fireplace, where a cat and a dog



were lying side by side, and he cried, "Can ye no learn from the brute creation? They lie here peaceably, while ye, made in the Lord's image, are quarreling." "Ah," said the long-suffering husband, "just tie them together once and see how long it will last." It will not do for us simply to tie one another together. Let us come together in the bonds of peace and truth and righteousness, and then it shall be well.

One word more. I recur to Dr. Hale's analogy, and I say, hammer on the wedge of public opinion. Oh, that the pulpit might take hold of this matter more and more and preach its truth to the congregations! Let our professorships of polemic theology be banished from our theological seminaries. (Applause.) And then the press (it is generally right) and the pedagogue (he is always right) and the politician (he is right once in awhile), if they will only pound upon the wedge, they will by and by drive it in, and the truth shall make us free indeed. Cromwell placed upon the mouths of his cannons, you know, that significant sentiment: "Open thou our lips, O Lord, and our mouths shall show forth thy praise." But let us, in the noblest words of the arbitration treaty, "consecrate the people to the principles of arbitration," and then the lips of our guns shall join with the lips of the people, and in their silence and their rest, as never before, they will praise the Lord.

PROF. N. P. GILMAN of the Meadville Theological School then read the following paper :

#### ADDRESS OF PROF. N. P. GILMAN.

We desire to educate and form the public opinion of this country so that it can be brought to bear most effectively upon our treaty-making power. The recent rejection of the emasculated treaty by the Senate was a decision for which I, for one, am profoundly grateful. Better no treaty than such a parody of a treaty! America must now take the initiative and propose to other nations, to Great Britain most of all, a treaty that has soul and substance in it. After a due time for repentance has been allowed the Senate for its great and grievous mistake in taking the life out of the original treaty, we must incite the President and the Secretary of State to procure a new treaty. When this is laid before the Senate, it will surely meet a more favorable reception than the Olney treaty found.

But let us not be mistaken as to the strength of public opinion, which we really need to bring to bear upon the Senate in order to procure a two-thirds vote in favor of such a treaty. After all that has been said here, and so differently said, about the action of the Senate, one or two points have not yet been emphasized sufficiently. The vote of the Senate, 52 to 31, allowance being made for pairs, should not be interpreted very favorably. It is altogether probable, from the declarations of various senators, that the treaty in its orig-

inal form, — the only effective form so far proposed, — would have been rejected by a large majority. A number of senators voted for the amended form who were really opposed to a treaty even then, and they were glad that it fell through. Let me give you one instance. To the senator, neither a P nor a Q, whom I happen to know best I wrote last February, urging him to vote for the original treaty. He replied that it would probably be amended, but he thought he should vote for the original draft, rather than see it rejected. Now, some high authority has said that nowhere else in the country is the real force of actual public opinion less understood or felt than at Washington. Be this as it may, after three months of discussion in that intensely political atmosphere had resulted in the extreme dilution of the Olney treaty, having other occasion to write to the same senator, I said that I wished he would now vote against the amended form. In reply, he wrote that he had not followed my suggestion, but that he thought poorly of the amended treaty, for which he had voted, and he had now reached the point of calling the original treaty “execrable.” This will show how much missionary work we still need to do with a considerable number of senators who voted for the revised treaty.

On the other hand, the senators are more responsive to public opinion than we sometimes think. It was one of the numerous accidents which combined to work against the treaty that it came before a senate that had had no mandate from the people on this subject, and during the discussion the senators had no opportunity to return to their states and learn in person what people thought and felt about it. If the senators had had only a month after the inauguration in which to go home and see their constituents, it is not so very improbable that on their return to Washington they would have passed the original treaty. If the matter had been laid over from March to December, as it might well have been under ordinary circumstances, the probability would have been much greater. In any case, we need to inform the senators opposed to the original treaty when they come home in August or September that they were greatly in the wrong.

The one practical suggestion I have to offer this morning on educating and directing public opinion so that it will certainly have the desired effect on the Senate is based upon my observation of the methods of associations for the reform of the civil service and the tariff and similar bodies and my experience in the last sound-money campaign. They made great and varied use of the printing-press, and I think that it would be well for us to follow their example. These inspiring meetings at Lake Mohonk are more or less briefly reported in a few daily papers in different parts of the country; the religious press gives them fuller attention. But what remains in print when those issues of the dailies and the weeklies have gone their very mortal way? What remains in the form of literature to distribute for the formation of sound sentiment concerning peace among the nations? The one thing in this line that survives these



meetings is the Report in a limited edition. Josiah Quincy the elder was once asked what would probably come of a certain much-heralded convention. "A big pamphlet will come of it," he replied. The Lake Mohonk arbitration Report is an interesting and valuable document of civilization, but no big pamphlet giving a verbatim report of these sessions will do all the work we want done. It is a kind of ammunition too easily dodged, like a cannon-ball at long range. Few people will have the patience to read it through, with its inevitable repetitions and difference of point of view; even a United States senator might be excused from a complete perusal of the Report at one sitting. As we saw in the last campaign, the documents that interest and convince the common people, and are really most effective with the great mass of the well-educated, are single speeches, clear in argument, pithy in style, and appealing to the good sense and the average conscience of the ordinary man. Two-page leaflets, small pamphlets of eight or ten or twelve pages, that can be slipped into the vest pocket, also have a large work to do in popular education on a particular issue. A Primer of International Arbitration, written by our Chairman and circulated to the extent of a million copies a year, after the manner of the New York *Evening Post's* "Free Coinage Catechism" of last year, would be a great educator of the public.

The different speeches, addresses and resolutions of these Conferences, treating various aspects of the great matter, should be printed *separately* and circulated by the ten thousand. Send such literature to every clergyman in the land and to every editor; yes, we can happily say, to every lawyer, also. When the lawyers and the clergy are found on the same side, as in our case, the combination, however unusual, is sure to be irresistible! Send the arbitration Report and the plan of the New York Bar Association and of similar bodies and the Platform of this Conference far and wide to this preëminently political class. Ask the clergymen of the whole country to preach once a year on the subject, at least; and, perhaps better, let them make emphatic reference to it, not every Sunday, but several times a year.

A very influential use of the printing-press, again, is the preparation of "plate matter" for syndicates, to be sent to thousands of small papers in all sections, but especially in the West and South, where most of the opposition to arbitration courts is now found. It would not be unadvisable to concentrate effort on those regions if money is scarce in the treasury.

I would earnestly advise the issue of a small quarterly paper containing the best arguments for international arbitration and the news of the movement, — a paper designed especially for the editors of the more important newspapers, two or three thousand of them. Teach the teachers and lead the leaders in this way. As a practical man, I would refrain from associating any of this literature, — leaflets, pamphlets, addresses by Dr. Hale, Hon. George S. Hale, Mr. W. Martin Jones, and others, catechisms, primers, and papers, — with the

doctrine of "peace at any price." This doctrine has no logical connection with arbitration, and the connection would only delay our special movement. This, then, is my chief suggestion for the shaping of an irresistible public opinion in favor of international arbitration.

REV. B. FAY MILLS of Fort Edward, N. Y., was then introduced, and spoke as follows :

### ADDRESS OF REV. BENJAMIN FAY MILLS.

*Mr. Chairman, Fellow-Warriors,* — The few words I shall say will be upon the educational value of a high ideal. There is but one name for the principal characteristic of human society, and that is progress. We all believe that human society is going somewhere. That we have not attained is not a subject for discouragement. I would not weep any tears concerning the past. I would weep if I thought we were in any danger of failing to seize the sublime opportunities of the present and the future. Professor Park at Andover used to say that two men might be in exactly the same position, and that one might be under condemnation and the other might be considered a saved man, for one would be going down the hill and the other would be coming up. We are coming up. And we need to believe, first of all, that the destiny of human society is attained through faith, hope, love, the things that abide.

Our great Italian prophet has said that humanity is a man who lives and learns, and that men live only so far as they contribute to the growth of humanity. We hear it said in connection with every scheme for social reconstruction, that in order to carry it out you would have to change human nature. There is just one answer to that: that human nature was meant to change, that it has been changing, that it will continue to change. We are more or less conscious that we come from the tigers and that we are going to the angels. I am one of those who believe that the holy civilization and elevating fellowship of the divinest brotherhood is already overdue. The fact that we can have such conceptions, the fact that Catholic and Protestant, orthodox and heterodox, Israelite, Mohammedan, idolater, can all speak the same language when we speak the word religion, is an indication that already the ideal has dawned upon us, and that it has brought us under conviction of our sin, which is rather a cause for the profoundest hope than for the slightest regret.

I believe in the past; I have not felt like uttering a word of criticism even concerning the recent action of the United States Senate. I believe in criticising society in the light of the future. I believe in a holy warfare against everything that opposes itself to love; and yet I believe in the things that are seemingly opposed to love, for they cannot be really opposed, for there is nothing but love in the universe. If the Christian Church is the oldest of peace societies,



we all belong to an older one than that ; we are sons of men, and we are sons of God (applause), and we are going to a consummation of which every one of us is more or less conscious. I can believe in greed, in slavery, in despotism, — for the past, — but not for the present or the future. We need to realize that we are living in a new era, and that the only peril that confronts society to-day is to look backward instead of forward and to look down instead of looking up and to fail to lend a hand. Society is better now than it ever was before ; our pains are simply growing pains ; we are in the condition of the boy who has outgrown his old clothes and has not secured a new suit.

So I can believe in war for the past, but not for the present or the future. You remember that Carlyle said that there would be another French Revolution if it were necessary. There will be just as many as are necessary. In the words of our great American poet,

“ Could I wish humanity different ?  
 Could I wish the people made of wood and stone ?  
 Or that there be no justice in destiny or time ? ”

Just as some of us would like to see one great final prize fight, in which all the fighters might be annihilated, so, for the good of the uncivilized civilizations and the powerless Powers of Europe, it may be necessary that we have one more great war. But, however that may be, the sun is to rise — possibly it is almost ready to rise — upon that which one has beautifully called a strifeless progress. I believe we are much nearer to it to-day than ever before in the world's history.

One of the profoundest students in America said to me lately that there was nothing that he dreaded so much as an economic democracy. That man believes in nothing in heaven or earth so much as in democracy ; and what he meant, I suppose, was this : that a democracy founded on the idea of *things* as the great aim of human society might come to be the most terrible despotism of history, in which man should be accounted only a thing. But a democracy born from a supreme conviction of man's origin, hope and destiny would bind the world together in an eternal fraternity. What we need is simply to make human brotherhood real. Professor Ely says that most men would rather be third cousin to a man by blood than to be brother in the sentimental or ecclesiastical sense. It has been the glory of the Christian Church that it has taught some lessons of the unity of the race in a common Fatherhood ; it has been her only failure that she has ever limited the scope of that divine idea.

Practically, I will say, let us try Mr. George Hale's experiment if we can have it ; let us try the present treaty if we can have it ; let us approach our sister France if we have not humanity enough to be at one with England. But there is more educational value in Dr. Edward Everett Hale's proposition of a general international tribunal than in all these expedients. When Dr. Hale first made that suggestion here two years ago, a learned and venerable judge suggested

that a hundred years would see no approach to this, and that we would better discuss possibilities. But within two years the New York State Bar Association has formulated the same demand, and we have gained practically more than some dared to hope. There is nothing practicable ultimately but the ideal. There is no law that is not universal. The law of the individual in relation to every other is to bind the nations in a great human fellowship, and,

“Though beaten back in many a fray,  
Yet ever strength we'll borrow;  
And where the vanguard camps to-day  
The rear shall rest to-morrow.”

The era of peace is nearer than we think. In 1787 La Fayette said it would take twenty years to overthrow feudalism. In 1859 Emerson said no one then living would see slavery abolished in America. In his oration on “The True Grandeur of Nations,” Sumner said of the abolition of war, “Believe you can do it and you can do it.” Let this be our motto and the spirit of our training of the youth, and before the hair of some heads here turns gray there will be “peace on earth and goodwill among men.”

The next address was by REV. CHARLES F. DOLE of Jamaica Plain, Mass., who spoke as follows :

#### ADDRESS OF REV. CHARLES F. DOLE.

Public opinion is the stream that turns the mills of all institutions and all arbitration arrangements. I want to show how we can make more effective public opinion. I want to make it perfectly clear that this public opinion, in order to be vigorous and large in volume, must be a public opinion that trusts in its faith and tries to live up to it. We are already accustomed to believe that the great danger to our citizenship is not from the Italian immigrant or the ignorant black in the South, but from the rich capitalist, who may be a member of a church, or a university graduate, who believes in all good things on Sunday, but draws his great check on Monday to pay campaign contributions for the support of the boss or the partisan government. Just in the same way, the danger to the men of peace and to our cause is not on the side of the opponents of an arbitration treaty, if we could find them. The danger is on the part of those who call themselves friends of peace, and yet, whenever an issue arises, talk war.

We are still paying the price, I suppose, of the great Civil War, which, like all wars, unsettled moral values and shook people's principles. There are many people who still do not know that, make the best of war, it still does not represent civilization. The Turks slaughter the Armenians and destroy missionary property, and straightway good souls all over the country are crying out that we ought to send our ironclads over to Turkey. One, at least, of the



influential religious journals actually made this editorial suggestion. Here in this Conference we have had a resolution offered which, if it meant anything, looked towards armed intervention in Cuba. The other day, the best of our Boston papers suggested that if England should acquire Cuba by peaceable purchase from Spain, it would be the duty of our government to protest against the entrance of English justice and liberty and civilization into that unhappy country. We are still suffering some of the mischief which many of us believe came from President Cleveland's Venezuela message, and the extraordinary extension of the Monroe Doctrine which is associated with Mr. Olney's name. All over the country there are multitudes of Americans who now seem to suppose that this country, by some act of the Almighty, has been given the supremacy of the continent, and they are calling out that we should build a bigger navy and should have outposts all over the seas. They have never asked on what grounds of justice this Monroe Doctrine rests.

More subtle and dangerous yet, there is an idea abroad that, after all, war is necessary once in awhile to reinvigorate the manhood of a country. An esteemed Massachusetts judge, not long since, said this very thing to a dinner of Harvard graduates. An article in the last *Atlantic Monthly* teaches that pugnacity (not courage) is an essential attribute of man.

We understand perfectly how plausible all these doctrines may be made. There is something in our veins that answers to these things. The animal, passionate nature, full of its indignations, easily swayed, answers to this kind of appeal. There is a philosophy, too, that hatches such doctrines; but it is the philosophy of materialism. I wish you clearly to see, I wish public opinion could be made to feel, that you cannot effectively raise the volume of public opinion that carries the great wheels of an effective system of arbitration while you are standing on the philosophy of materialism and while you are giving vent to the animal passions.

Let us go over, then, to the other side. The supreme doctrine of the New Testament teaches that we should be perfect. Not, as the men of the old time were, good when they felt like it and wicked whenever the mood seized them; not as they represented God in the old time, "merciful to the merciful and froward to the froward"; but perfect like the sun, which shines on the just and the unjust. This is the only Christian doctrine, the only doctrine that goes with an ideal philosophy.

Carry this out and see what it means. It means that we shall do the best and counsel the best, not only for the unhappy Armenians, but also for the very unfortunate Turks who are under the Sultan's dominion; that we should do the best and counsel the best, not merely in sympathy with the Greeks, but in sympathy also with all the great nations under the sovereignty of militarism; that we should do the best and counsel the best, not simply in sympathy with the Cubans, but also with the Spanish people. It means that we should fight evil, not with evil, but with good,—the only method that har-

monizes with an ideal philosophy or with a spiritual religion. It means that we should not build the foundations of peace with one hand and tear them down with the other, or with the other build up the munitions of war. It means that we should build the structure of peace with both hands and with all our might. And let us not doubt that for a long time to come there will be plenty of those who shall provide all the friction and difficulties necessary for trying our patience, our faith and our courage.

At the close of Mr. Dole's address, the President stated that it would be necessary, for the remainder of the session, to place a five-minute limit on all speakers. Gentlemen then spoke as follows :

REV. EDWARD E. HALE : A very frank and intelligent speaker spoke of the loss of the treaty as the Bunker Hill of our movement. I want to accept the statement, and to go, as a Boston man has a right to do, a little into the history of that battle.

Prescott made his fortifications on the hill. Howe led his English troops directly up to the face of the redoubt, and they were beaten ; they were badly beaten and thrown back again. They waited ; they sent their wounded over to Boston ; and then Howe sent them up the same hill again, and they were badly beaten again. Then Howe learned by experience. But he learned too late. In the second defeat the cause for which he stood was defeated, and the end of the British dominion in America came when it was defeated.

We were told last evening by half a dozen speakers that, our treaty having failed, having failed ignominiously, having been pushed back, with a great many reasons or with no reason, we were to advance again on exactly the same line, and offer exactly the same treaty, before exactly the same enemies, and, I venture to say, with exactly the same result !

Now, Howe understood his business better. When the third attack came, Howe refused the redoubt altogether, marched round by the right way, outflanked the Americans, and thought he succeeded. This is precisely the position, as it seems to me, in which this Conference is. It is precisely the position which, if I understand, it is going to take this evening, — to recommend a repetition of the method in which we have been defeated in the last year. In the proposals which were made by several gentlemen in different forms, and which are in the hands of the committee, we undertake to bring in an intelligible scheme — for I venture to say there is not a person in this room who could give in five minutes a statement of what the present treaty is and what it means. We propose, on the other hand, a definite plan, which provides for a union, not of two nations, but of all nations who are willing to come in. Having failed in our arrangements with England, we propose that England, France and America, — France our first friend, France our second friend, France our last friend, France, the only great republic in the world beside our own, — that all these three shall be asked to unite



in a permanent tribunal. We do not propose to lay down any definition of what shall be proposed to that tribunal; we do not propose to bind any nation to comply with the results of that tribunal. We do propose a court of such dignity that every struggling nation should appeal to it as a matter of course for the solution of its difficulties. If such a court had existed twelve months ago, if the kingdom of Greece had come to the conclusion that it was time that the great treaty of Berlin, — the last triumph of “diplomacy,” let me say, — should be carried out by the great powers; if Greece had come to that tribunal, and that tribunal had decided, you would have peace, instead of war, in the face of the world to-day.

REV. HENRY E. COBB of New York: I wish to acknowledge the debt which I owe to this Conference for the impression which it has made upon me. I confess that I came here “a man after the flesh,” liking wars a little, rather interested in the Græco-Turkish conflict, delighted when the Greeks killed a Turk, sorry when the Turks killed a Greek. I hope to go home and bring forth fruits meet for repentance. I do not know whether I shall be able to tell my little boy, when he comes to me to tell me that he has had a fall, but that he will not cry because he is going to be a “slojer,” that he must not call himself a soldier now, but an arbitrator. Whether I am going to take away his drum (for which the neighbors might thank me) and arm him with the armaments of peace, I do not know. I cannot think that in his playing soldier, or that in taking him on my lap on Sunday afternoons and telling him the story of David and Goliath, I am depraving that boy’s imagination. I feel as if I were instilling something of the heroic into him. And so long as our literature is made up so largely of those brave old tales of other days, I believe that the present generation has a right to them.

The subject for to-day teaches us that we are with faith and patience lifting the world to a higher level, that we are teaching men that

“Loyalty to Truth is sealed  
As bravely in the closet as the field.”

There are higher ideals in the human race than that of the dominance of physical force. Moral strength, the power of reason, has far more effectiveness and is more permanent in its results. We have learned, through the magnificent addresses which have been made, how little war has done. It has changed the face of the map, but it has not changed the hearts of men, it has not knit men together; and until men are welded together in a common purpose and sympathy the human race cannot be lifted. It is by the principle of arbitration, the principle of convincing men by reasonable deliberation, that men are brought together to see truth face to face.

We of the church have a high mission, it seems to me. We may not preach arbitration as effectively as men in other positions; but the human race is made up of integers, and wherever you bring a

single man into sympathy with the principle which arbitration represents, there you have gained a weight in its favor. We of the church, humble instruments though we may be, may yet bring men into a higher theory of life, into a deeper realization of the principles of Christ. We may show them that it is through self-control, through patience, through sympathy, through giving one's self up for the benefit of others, that the cause of men is best served. If in my lowly place it is possible for me to bring to men this larger view of life, this new sense of their relation to their fellow men, I shall feel that in some slight way I have served the cause of arbitration.

REV. L. Y. GRAHAM, D.D., of Philadelphia : I have tried in my feeble way, through a quarter of a century in the "city of brotherly love," to advocate the principles of peace. I believe that, after all, what Christ taught and one of the Roman emperors wrote over his sanctum is the great solution of the problem : "Whatsoever ye would that men should do to you, do you even so to them, for this is the law and the prophets."

This matter of educating public opinion lies a little back of what some of the speakers have suggested. We cannot educate those senators by public opinion ; we cannot reach them. It is not a *re*-formation that we need, but a formation, — a formation of public opinion. "As the twig is bent, the tree's inclined." Some of the stories that have been told here about training children in military tactics have only shown the secret of a great deal of the trouble in our country on the peace question. If I teach my child military tactics with the Boys' Brigade, I think it is rather a contradiction in terms when I stand up in the pulpit and say that Jesus Christ came to bring peace and goodwill upon earth. So when my boys came to me and pressed this matter of a Boys' Brigade, and said if they could not get it in my church they could find it in a neighboring church, we as a session said, "We do not think the Church of Christ is a school to teach military tactics." The Boys' Brigade was not organized, and the consequence was that a good many boys left us and joined the Brigade in another church. But we saw them coming back, one by one, and by and by that Brigade was disbanded, and we have our boys all back again, and we are teaching them different principles.

In the valley of the Nile a great crocodile was creating terrible havoc. The terror-stricken inhabitants gathered together and discussed what they should do to destroy the monster. But a poor little animal called the ichneumon came and said to them, "You have been discussing for days and weeks how to destroy this monster ; but I am destroying thousands of them every day, for I am attacking them in the egg." I tell you, brethren, we must attack this thing in the egg. We must train our boys and our girls in peace principles. Then, twenty years hence, we may hope to have men of peace as our senators and legislators, and the men in control of our government shall study the things that make for peace.



MAJOR MARSHAL H. BRIGHT of New York: There is one thing from which we should take encouragement, and that is that arbitration is a positive and actual fact, and not to be confounded with any treaty. The fact that we have had three wars and eighty arbitrations is testimony to that, while the other fact that we are not ready for war, but are ready for arbitration, places us as a nation above all others, as a nation of peace. We have arbitration already ; and I think it is a matter of lesser moment whether we have the Bar Association's plan or the plan formulated by Mr. Olney, so long as it keeps the muskets in the rack and the plugs in the cannon.

Allusion has been made to a resolution which I offered asking President McKinley to use the best and speediest efforts practicable for ending the existing war in Cuba. We were told that if it meant anything it meant an appeal to the animal passions of men, that the philosophy which made that proposition was the philosophy of materialism. Let us see if it is so. I do not forget, sir [to Ex-Senator Edmunds, Chairman], that you remarked last year, of President Cleveland's message to Lord Salisbury on the Venezuela matter, that it was a message of peace and not of war. I remember that that brilliant statesman, Mr. Kasson, followed in the same vein. It seems to me that a great deal of the inspiration that this Conference gets is from that message. What was the result of that message? Arbitration. It silenced the cannon ; it prevented Great Britain from sending her fleet over to Venezuela. It doubtless enabled Queen Victoria to celebrate her sixty years' reign with one less war going on the record of blood and aggression. Is not a message which secures such a result a message to be commended in the consciences and in the minds of us all?

Now, take the case of Cuba. Here is an island where warfare is going on, as warfare has gone on in Greece, as massacres have gone on in Armenia. I would like the brethren to tell me how you are going to stop such massacres by reading the ten commandments. When people are quarreling, you have to separate them. That is what I wish we could do for the Armenians. There are millions of Christians in Armenia, and we are perfectly powerless to stop the awful slaughter. What a comment it is upon our passivity, upon our humanity, upon our much-vaunted civilization !

In the case of Cuba, why should we not interfere? The most pitiful occurrences are going on every day, while we are talking of peace. *That* is where animal passions are aroused, — in the conflict, not in the efforts to end it, — that is where your gospel of materialism is to be found. People are made widows and orphans every day, while we are doing nothing. I know there are considerations of state which may be supreme ; I do not presume to intrude upon these or to decide upon them. The President and his cabinet are the proper ones to decide this matter ; but when they decide, they should act. You remember that in his message of last autumn President Cleveland intimated that there might come a time when all this must be stopped. It is not materialism ; it is the sacred

name of Humanity which calls for interposition. In fact, it is only the simple truth to say that if it were not for the commercial and sordid interests which unite men, instead of the interests of humanity, the civilized world would not have seen a hundred thousand people massacred in cold blood, doing nothing the meanwhile to prevent it; we should not have seen the little kingdom of Greece humiliated before the scimitar and crescent, with German Christians fighting for the Turk. Let us hope for a better day; but it will not be a better day if we legislate for Utopia. We are dealing with real men and women of blood and feeling, and what we need to do is to secure the friendship and safety of all peoples and arrest the thundrings of the cannon and the flashing of the sword.

COL. WM. CONANT CHURCH: I presume you have all heard of the Scotch clergyman who once astonished his congregation by saying, "Let us pray for the de'il. Nobody prays for the poor de'il, and nobody needs prayers more than he does." I feel that what I have to say, which is in behalf of the soldier, may be received by this audience very much in the spirit of that clergyman's prayer for the devil.

You remember that Plutarch tells us that when the inhabitants of one of the towns in Greece were asked, "Who are the meekest men among you?" the answer came promptly, "Those who have received their discharge from the wars." If there is any class of men who are united in opposition to war and in favor of adopting any honorable and proper method to escape the horrors of war, it is the old soldiers. (Applause.) I have prophesied ever since our civil strife that danger of war would come when the influence of the old soldier had departed from this country. The history of the time, I think, fully justifies that prophecy and that expectation. We owe the greatest results that we have had from arbitration in our time to that grand soldier, General Grant. Some of the most earnest utterances in favor of arbitration, some of the most vivid characterizations of the horrors of war, have come from soldiers like Sheridan and Sherman. No man who has had any experience of war, who has ever seen anything of the battlefield, can ever wish to repeat that experience. Those who served in the war cannot read the histories of the battles without their eyes being dimmed with tears when they remember the sacrifices which they record. The faces of their dead comrades look out upon them from the battlefields, and appeal to them, by every noble instinct of humanity, to exert themselves in all proper ways to prevent the recurrence of such experiences.

But the soldier does not believe that we are to escape war, that we are to secure the great results of peaceful methods, by any pusillanimous surrender to aggression, by depriving the nation of its strength. If you follow the history of humanity, you will find that man in the beginning was a savage, and that a great advance towards civilization was made when he stopped killing and eating his enemy and simply made him a prisoner of war and a slave. The progress



of civilization has been through three stages. One is the change from superstition to religion ; another is the regulation of the passions of men by law and jurisprudence ; still a third has been the cultivation of patriotism and national sentiment through military establishments—not necessarily through war. If you trace the history of standing armies, you find that they originated in the effort of the kings to maintain a central authority in opposition to the growing power of the feudal lords, who, with their little bands of cut-throats, were devastating the country in their contests for supremacy. War was then epidemic, and the little fingers of the *Grande*s, “as engines of oppression, extortion and cruelty, were thicker than the loins of the King.”

Thus did France, from a collection of little principalities at war with each other, perpetuating the old savage state, gradually grow into a great kingdom. The same process has gone on in Germany in our own time ; men who sit here can remember when Germany was subdivided into innumerable little states. It has been the military establishment of Germany that has consolidated these into a great nationality and made those thirty or forty millions at peace with one another. The same process has gone on in Italy. Charles Martel, in his work entitled “*Military Italy*,” shows in a very interesting manner how the various antagonisms of the states of the Italian peninsula have been reconciled by the universal military service, which brings men together under the restraints of discipline.

What I wish to impress upon the Conference is the necessity for distinguishing between war and a military education and military establishments. The soldier is not necessarily a promoter of war, any more than a lawyer is necessarily a promoter of litigation. Where you find a clergyman, you find sin ; but you do not hold him responsible for sin. Wherever the lawyer is, or the judge, there is litigation. Wherever the doctor is, there is disease. Now, it is very illogical, but some men are illogical enough to consider the relation between these one of cause and effect.

I am reminded that my time has expired, but before I close I wish to urge upon this Conference the importance of limiting itself to the work immediately in hand. I think that a great mistake was made in suggesting that we must reorganize the United States Senate, destroy our military establishments, and undertake similar impossible tasks as a preliminary to the work of arbitration. We should seek to make the principle of arbitration the controlling influence in international intercourse, guiding the state as the skillful captain directs the movements of a great ocean steamer with his hand upon the helm. We should not repeat the mistake of the sailor on horseback, who, as he thrust his knife into his unruly steed, exclaimed, “If I can’t navigate this craft, I’ll scuttle the ship.” Be patient, gentlemen ! The mighty forces of civilization are working with you and for you. If you keep your hand upon the rudder and seek to guide them, rather than to destroy them, you will accomplish more than you will by undertaking what is beyond your strength.

REV. JOSEPH MAY of Philadelphia : When we are struggling against institutions or principles so deeply seated as those connected with war, we need to fathom and understand the causes of their foundation in human society. The war-system, as it exists now, is rooted in greed and selfishness. The European armaments are maintained in order that at some fortunate moment this nation or that may strike its brother a blow and secure some advantage which by honest means it could not gain. But greed and brutalism and selfishness, it is well to confess, are not the only sources of the war-spirit as it exists in civilized nations. War is attractive for nobler reasons. And without these it would not long survive.

For one, it calls out human *energy*. The one thing, from the time of Saint Paul till now, in the days of modern athletics, which young men and old men delight to do is to put forth their powers. In a period of war the whole nation puts forth its powers to their very foundation. Another principle in which we all rejoice is the *solidarity of mankind*. We are helped and strengthened, as we have been helped and strengthened here, by the sense of organized humanity ; and there is no condition of human society when that sense is so strong as during a period of intense warfare. Then there is the principle of *discipline*, of which I will not stop to speak in these few minutes. But it is as agreeable to men as it is important to their effectiveness and their progress.

But there is a higher principle than these which warfare calls into profoundest action, and this is the grandest that animates the individual human breast, — the principle of *self-sacrifice*. Whatever may be the greed and barbarity of the nation which sends men to war, the individual soldier is animated by the principle of self-sacrifice. He takes his life in his hands and goes out to give it to his country, ready to die that the nation which sends him forth may live. By this principle men have been inspired as by no other. The sacredest spot on the world's surface is that little Mount of Calvary ; and alongside it in the reverence of mankind, — far below it, yet living deep in the affection and reverence of men, — have been places like Thermopylæ, Bunker Hill and Gettysburg.

These are the better principles which make warfare attractive to civilized men. The individual soldier feels them and is dignified by them ; the nation feels them and is dignified by them. It gives dignity to the profession of arms that its aims are not personal and selfish. The fine type of men which we find in the army and navy are made such because their training from the beginning is in the direction of unselfishness and readiness for self-sacrifice.

In the conditions of peace it is true that we see illustrations of energy equal to those of war. In our labor organizations and trade-unions we have the principle of solidarity doing much for the character of our people. Discipline is enforced in all corporate undertakings. But in the pursuits of peace at large have we not lacked, does not business life lack, that last and crowning glory of illustrating the principle of self-sacrifice ? If, then, we are to suc-



ceed in educating the people out of the spirit of war, if we are to dissipate what we may call the military instinct which so many of us are conscious of, it must be by informing the pursuits of peace with the same spirit of mutual self-sacrifice.

What does this mean? It means that, instead of regarding our various occupations in life as practised for our own purposes, they are to be practised as means of help and benefit to each other. For self-interest in all the arts of peace, we are to substitute the principle of service. The merchant in his counting-room must feel that he is there that he may serve mankind by gathering in the products of all parts of the world and placing them at their disposal. The artisan in his shop must feel that he is making his shoes that he may serve mankind, as much as it is the duty of the clergyman to feel, as he stands in his pulpit, that he is there to serve mankind.

How are we to effect this? I have no panacea to offer; it must be a long, long task. We cannot do it in a day, or in many days; Calvary is two thousand years old. And yet we can all do something. We can do something in our individual spheres; we can do something through our influence on our children; we can do something by calling on our fellow men to follow the pursuits in which they are making their daily gains, not from selfish motives, but as service in the cause of God, towards promoting the welfare of mankind. Every noble principle will conquer, in the long run, and the noblest most surely.

REV. J. G. VAN SLYKE, D.D., of Kingston: I desire to impress upon the minds of our friends in this Conference the great truth that God is at work in this world. He who is guiding the constellations in their mighty orbits is bearing us forward toward this magnificent consummation at which the creation aims. Believing, as I do, that he has created this planet as a reward for his Son, I am sanguine that he will carry forward every process which may be necessary to make it habitable to the Prince of Peace.

I have heard no allusion here to the remarkable stimulus which is afforded to the minds of the friends of this great cause of arbitration by a change which is made in the Revised Version of the prophecy of Isaiah at the ninth chapter and fifth verse: "For all the armor of the armed man (or, every boot of the booted warrior) and the garments rolled in blood, shall be even for burning, for fuel of fire. *For* unto us a child is born, unto us a son is given; and the government shall be upon his shoulders . . . and of the increase of his government and peace there shall be no end. . . . The zeal of the Lord of Hosts shall perform this." There is a magnificent guarantee for our faith and our expectations. "The zeal of the Lord of Hosts" works quietly, almost stealthily; but it is moving forward, toward the realization of all that is anticipated in that splendid dream of Isaiah.

In all the modern development of human progress I recognize nothing more nor less than so many bulletins of the heavenly Provi-

dence. I recognize his presence, for instance, in the intimate relations which have been developed in modern times in the commercial communications between nations once separated, so that they are now drawn together into a world-community. God himself is at work forging the bonds of brotherhood.

Perhaps some of you remember the words of Plato in his congratulation to the Athenians, that they, among all the Greeks, had exhibited the most eminent love for their own citizens and most cordial hatred for all outside. We have risen to a standard which is due to the influence and the sway of the spirit of Jesus Christ. This intelligent realization of our ideal was characterized by a speaker last night as a species of dynamic evolution; let us translate that word into its Christian equivalent, "the spirit of the Son of Man."

REV. H. A. HAZEN, D.D. : I only want the pleasure of saying that I have heard of Mohonk before, with the hearing of the ear, but that henceforth I shall not be so skeptical of the enthusiastic reports of some of my friends. If I had but two minutes to speak, I would use one of them to express my own gratitude to the noble man and his friends who have built up this place and given us such a royal welcome here.

I would like to add that I am in full sympathy with all that is optimistic in the spirit and the hope of this meeting. We are looking forward and not backward. We have the future. We are not downcast in any sense by the little incident that happened at Washington a few weeks ago; its dimensions are growing less and less as we recede from it, and this country will, not very far hence, put a spirit into the Senate of the United States which shall make it give voice to its own feeling, its own life. Of the methods which are to work this out, I will only allude to one. It is the force of Christian sentiment in the different lands. It happens to be my province officially to be a little in touch with sentiment on both sides of the water, and to know how deeply it has been stirred. The Nonconformist conscience is on our side in the conflict which has brought England to the point which she occupies to-day. I believe that the conscience of Christian America is to make itself felt in the same way and to the same great end. Not from England alone, but from far Australia, have come official utterances from Christian bodies, calling for sympathy and promising assistance, as we work on towards the end for which we are laboring and to which we are moving forward.

HON. EDWARD G. WHITAKER: In the speeches to which we have listened we have had philosophy, we have had evolution, we have had ethics, economics and religion; but we have not had one practical suggestion about the way to effectuate the purposes of this Conference. I presume that eighty-five per cent of the people of Germany, France, Switzerland, England, America, even of Russia and of South America, are already in favor of arbitration, the aboli-



tion of war and the substitution of peace in its place. That being true, the first aim of these Conferences, which was the creation of public sentiment, has certainly been effected. The time for simply talking, therefore, the windmill period in our evolution, has passed ; we have now come to the treadmill period, and should go to work.

The time has come when people are ready for arbitration, and fitted for it. The only way for this Conference to accomplish the work that it has set itself is to formulate a plan. What do you do when you are going to build a house? First, the family talks it over and determines to build ; they then get a definite plan on which to work. That is what the Conference should do.

The committee of the New York Bar Association, made up of some of the ablest lawyers of this state, after a whole summer of work and the most mature consideration, adopted what I believe to be the most feasible plan that has ever been suggested for the establishment of a court of international arbitration. The plan simply provides for a court. It is not to be a congress. It is not to be an arbitration board. It is not to be a commission. It is to be a high court of justice, with all the attributes of such a court, blind and deaf to all political, religious, partisan or personal influences, and moved only by truth and justice. It is such a court that, in my judgment, this Conference should provide for. It is the court the New York State Bar Association hopes to see established. Let the clergy pray and preach for such a court, let the lawyers argue for it and let the members generally work for it, and I feel certain the end will not be far off.

Men are sometimes slow to see that which is best for them, but when they once have seen it, they are quick to obtain it. I believe they have now seen that peace is better than war, and that such a court is the only means of effectuating peace ; and such a court can only be established in some such way as has been suggested by the New York State Bar Association.

The plan of the New York State Bar Association does not provide for arbitrators appointed to decide a question which has already arisen ; arbitrators under such circumstances must be more or less partisan. To avoid political influences, the plan does not let the Queen, the President or the Emperor appoint the members of the court. The members of the court are to be appointed by the highest judicial tribunal in each of the countries, or to consist of one of the members of the highest court of each of the countries. Now, when this court shall have been organized, the doors will be thrown open, and we may say to the civilized world, "Come, and we will settle your disputes." Such a court would settle a question according to its righteousness and justice. They would not be partisans. If an American member should decide, through partisanship, in favor of America, there would be France, Switzerland, Germany and England and the other members representing the other countries against him. That is the only way you can secure the administration of exact justice between nations ; and there is no reason why justice

should be different between an aggregation of two hundred million people from justice between two individuals.

There can, of course, be no objection to passing a resolution in furtherance of the present treaty, but remember this is only a treaty between England and America, while the plan of the New York State Bar Association would secure the peace of the world, and that, as I understand it, is the object of this Conference. It is not so narrow as to simply desire peace between England and America, and permit war between Germany and France.

Its motto should be "Peace on earth, and goodwill to men," and peace all over the earth.

REV. PHILIP S. MOXOM offered the following resolution :

*Resolved*, That the Executive Committee of this Conference be requested to communicate with the various religious denominations and societies, with economic and educational associations, in order to secure if possible the discussion by them of international arbitration, with the purpose of promoting popular intelligence on this vital subject.

At one o'clock P.M. the Conference adjourned, to meet again at 7.45.



## Sixth Session.

Friday Evening, June 4, 1897.

THE last session of the Conference was called to order at 7.45 o'clock by the President.

MR. GINN, for the Finance Committee, reported that on further consideration, the Committee had decided not to make the effort which had been contemplated to print a very large edition of the proceedings this year. It was thought wiser to wait till a little later, and then, perhaps, to prepare a report including the proceedings of several years.

MR. CAPEN announced that the Universal Peace Congress would be in session in Hamburg from the 12th to the 16th of August. He hoped that any members who might happen to be in Hamburg at the time would consider themselves as the accredited representatives of the Conference.

MR. BEEMER offered the following resolution, which was referred to the Committee on Business:

*Resolved*, That the Committee on Publication be enlarged by the addition thereto of the President of this Conference, Dr. Edward Everett Hale, and Hon. Samuel B. Capen, and that this Committee be empowered to print such number of copies of the proceedings of this Conference, and such shorter documents for more general distribution, as it may deem wise.

The Conference then listened to the following address from HON. MERRILL E. GATES, LL.D., President of Amherst College:

### ADDRESS OF HON. MERRILL E. GATES.

*Ladies and Gentlemen*,—No year in the history of the world has seen so much thought centered upon principles of morality, in their application to nations, as has this last year. There is something hopeful in this fact. Realizing, as we do, that *to secure attention* for matters of the highest importance is half the battle, when we are dealing with rational creatures, it means much that the course of history for this year has been so directed as to center attention upon questions of right and wrong in their application to national life.

The old maxim, "In time of peace prepare for war," we now read, "In time of peace, prepare—*to make war impossible*." (Applause.)

The thought of the civilized world has been centered upon this problem. That is one reason why we find the discussions of this Conference so elevating in their effect upon us who share in them. It is very difficult even for small people to be petty in dealing with so large a theme. There is, in the nature of the interests which have drawn us together, in the vast proportions of the problems presented to us, in their importance and their far-reaching consequences, something which tends to elevate the tone of discussion, and to give to us all the feeling that we are concerned about important affairs, that we are dealing with mighty forces and advocating beneficent measures which concern the entire future of the whole race.

Now there is a reason for this. Whatever men have been able by their skill to make is profoundly interesting to us. We all know something of the delight of making our way through collections which show what art and science have done in subduing matter to the uses of man; and in the mechanical contrivances of men, which show the sheer force of intellect and will in dominating dead matter and shaping it to the use of mind, there is interest for us all. But after a time this interest palls; and it has always been true that the *most profound interest for men centers in what man did not make* and what man cannot make. The *phenomena of life* are, after all, the most interesting. This was never so strongly felt in any other age as it is in our own time. It was never more true at any time in the year than it is at this springtime, when life is bursting forth from Mother Earth, in myriad forms of growth, all about us. I have little respect for the man and I never met the woman who did not feel, at this time of the year, a freshly renewed interest in the phenomena of life, through all their range, from the lowest shoot in the blade that springs from Mother Earth to the loftiest manifestation that life affords us anywhere. Was it not James Russell Lowell who said, in one of the last letters he wrote to a friend, "As we grow old, only two things retain the charm they had for us in the days of youth,—the utterances of the great poets, and the sweet return of spring."

Something of this interest in the phenomena of life we all know. Some of us have known men in whom this interest was a deep, abiding passion. I number among my friends men who, when they are tracing the records of the past, written in the strata of the earth, feel so intensely this sense of kinship with all forms of life that sometimes I have seen tears start to their eyes as they came upon the tiny scar that marks, in the inorganic rock, the place where the lowliest form of life once laid hold, with its clinging little rootlet, and testified to the plan of God in making inorganic matter serve the purposes of life when life touches it. And so through all the range of vegetable life. What a charm in the study of botany! And then through the higher range of animal life,—who is impervious to the charm of those museums which show us, in orderly arrangement, the successive types? If you do not want to call it evolution, call it special acts of creation, if you can find anything to warrant you in giving that name to the manifest record. If you call it evolution, it seems to



me you must bend with all the more reverence before the Power of Mind and Will that could impress upon the unfolding germs this marvelous power of working after a plan that increases in wonder and complexity with successive ages. Whatever you call it, you cannot help tracing intelligence, mind and will, in these life-forms, from the lowest up toward the highest. We know how the old records of geology swarm with traces of those lowly organized forms which existed and multiplied and dominated the life of their time simply because they had immensely strong digestive powers, because they could live in conditions that were deadly to other species. They lived by force of *digestion* and nothing else; and these species had their sway and their time. Then life went on to a little higher form, and these slow-moving creatures, who were content to stagnate between high and low water, who multiplied because they fed and did little else, gave way before the type of quick-moving animals whose domination was not in the maw, but in the jaw. And so, through these successive ranges, the type ever rises until it becomes perfectly evident that it is now intelligence, *brain*, that is dominating the world. Mere powers of digestion or of motion in the power to seize and to feed upon others have had their day. Always the type is rising. Then, whether by a special act of creation or by that slow fashioning of the dust of the earth which may first have led it up through other forms,—to me the wonder, the reverence and the worship would be the same in either case,—man comes upon the scene, and *thought* begins to dominate the world.

Man cannot live as man and live alone. Men are inevitably gathered into societies and nations; and a nation is a personality. We all recognize the fact that, as the highest form of life, personalities are interesting. In a Conference like this we find that something of the charm of the meeting lies in the revelation of personalities which it makes to us. We might read what the various men who have addressed us have said, and the singularly pointed and brilliant addresses of the few women who have spoken to us; I say we might take the books these persons have written, we might read what they have said here, but without seeing the faces or hearing their voices; but it would be quite another thing! *Personalities* have a profound interest for us, always. This interest in persons degenerates, on its lower side, into gossip; but on the upper side, in its higher range, it comes to be that admiration for great personalities in history by which we live, by which the race is lifted up, and which found its supreme expression when, in the fullness of time, He who had overweighted the messages of languages until human words could not carry His love, in *a great Personality* sent us the living Word of the living God, that we might understand something of His plan and purpose.

The fact that we study here the moral relations of the greatest personalities, nations, gives interest to our issues. The study of government, of the development of the state,—it is this which makes politics, in the highest and best sense, supremely interesting. It is

this which makes statesmanship interesting. And may the day never come when politics and statesmanship shall be sneered at by an assemblage like this, as if to touch politics were to touch evil! Never is the teacher stronger in teaching morality than when he honors the true work of the politician and the statesman! I say, when we take up the study of the ethics of statesmanship, of the policy of nations, of public measures that affect whole races, we approach a subject which has commanded the highest powers of the most mature minds, the loftiest service of the noblest spirits of the race, and will command such thought and such service through all time.

In the ascending scale of life which we have been reviewing, when we come to man we come to personality. Sometimes we forget what personality means. I like to put it in three simple phrases. It means *self-conscious being*: "I know that I am." It means *self-directed intelligence*: "I have the power to fix my attention and my thought where I will," and that is *the key to freedom* always. And it means *self-determined activity*: "I have the power to use my own activities of mind and body as I will." These three things, self-conscious being, self-directed intelligence, self-determined activity, wherever you find them, mark personality. I am not anxious, as some men seem to be, to put my dog as far as possible from me in the matter of reasoning; and I often think that if I as uniformly lived up to my sense of duty as does that big brown-eyed friend of mine, those about me would feel an appreciable difference for the better in my everyday behavior. But whether you try to make the difference wide or narrow, there is one essential difference; you never knew your dog to sit down and direct his attention to an abstract principle of right and wrong. Yet the humblest person is capable of this. When we touch savage tribes, missionaries who in this room have stood before many of us, time after time, to speak of their work with barbarous races, say that in the lowest of our Indian tribes there is not the slightest difficulty in discovering not only religious sentiment, but the steady application of moral truth to the life. Wherever you touch this idea of personality you come at once to the question, Shall the intelligence here manifested be led to recognize great principles of action? Shall the power of activity in this life be guided by those great principles?

International law is based upon the recognition of the great truth that nations are persons. You cannot make a nation by anybody's fiat. This has been tried time after time in vain. Begin with the little city states the Greeks knew, and see how marvelously certain civic virtues were developed there. I trust we have all learned from them the lesson that patriotism must always begin with love of the home, with interest in the ward, the city, or the town where one lives; profoundly contemptible, from my point of view, is the man who calls himself a philanthropist or a patriot and does not care for the interests and the welfare of the community in which he spends his days, for the welfare of the neighbors on his own street. In local



interests is the beginning of patriotism. The little Greek states confined the idea of the state to the city state; and Rome started with the same idea. The world has seldom received from a statesman a nobler thought than that which Julius Cæsar gave to mankind when he proposed the extension of the right of citizenship to all. This is the greatest testimony to that power of personality which is commemorated in Cæsar's name as the highest dignity a ruler can have in Europe to-day, in the title of "Kaiser" or "Czar." His most kingly title to be thus remembered is his great resolution to throw open the way to the rights of citizenship to all, irrespective of narrow city limits. There was a gradual application and extension of this idea of Cæsar's; but Rome fell, in the effort to be a *world empire*. Perhaps no political lesson of the centuries is clearer than is this great lesson, that we must recognize the *national state* as a unity. I am a firm believer in the national state, in the reality and the desirability of a strong national life. It is to be expected that nations will differ from each other somewhat in traits and habits. It would be interesting to illustrate this, but we have not time to do it here. I will only say in passing that the escape from the logical processes which shut a man up to the academic idea of absolutely free trade lies, for me, along the line of the immense value of a varied and a strong national life, which is worth the sacrifice of that economic theory which would lead a people to direct its whole energy simply to "buying in the lowest market." Do not crowd into this statement too much of "high-tariff Republican" doctrine! But I do believe that national life is worth many sacrifices, and among others, the sacrifice of the extreme theoretic free-trade view.

When a national state, made up of a people who have perhaps a tie of common descent, usually a common language, *always the consciousness of a common life and common interests and the wish to act together*; — when such a nation finds life for itself (perhaps a nation long dismembered coming into united life again, like Italy, first under the poetical inspiration of her singers, then under the statesmanship and the commanding personality of a Cavour; perhaps a young nation like our own, growing up with a consciousness of common interests, in large part from community of race descent, and in still larger part from geographical position) — when such a nation then enters on its career and takes its place among the nations of the world, it becomes the subject of a profoundly interesting study in personality. The time is past when the world was willing to identify the life of a nation with the caprice of its sovereign. Take that great work of Seelye, one of his latest, "The Growth of the English Commonwealth." See how he traces the influence upon European politics and upon the development of the nations of Europe, for the last two hundred and fifty years, of the Hapsburg idea that the way to acquire universal dominion was to marry the heir of the throne to the heiress of other domains! See how that idea, that a nation could be managed as a mere appanage of the prince, has given way.

We are working, my friends, here as everywhere else, in our day, under a sense of the value of unused forces. What an interest attaches to the wonder-working wizards of natural science, an Edison, or a Nicola Tesla, as they are pointed out in a crowd ! You say, "There is a man whose single, clear, direct thought has brought into being a little piece of apparatus that is utilizing powers which have throbbled through the universe unused in all the centuries since creation." A kind of glamour goes with the personality of this man who has had the power to see unused forces and to bring them into use. It is but a few days since, in the lovely home which she makes gracious by her presence, that charming lady for whom the telephone was invented, but who has never heard its sound, spoke with me of the pathos of the fact that, while her husband, Dr. Graham Bell, had worked for years that his mother and she might possibly profit by such an invention, they two, for whom the telephone was invented, have never heard it ! That does not make any less marked the interest with which we watch the inventor, as we remember how much he has done to bring unused forces into use.

Men who guide the destinies of nations are beginning to understand that there are these unused forces of morality and reason in the common people, and that these forces can be counted upon for the direction of the public life of a nation ! And nowhere is this more marked than in the recognition of the fact that the nation and the state hereafter must be accounted a personality, subject to moral law. The time when a nation could excuse itself for doing an absolutely iniquitous thing, simply because territory could thus be gained, is rapidly passing away. The time when a man was wont to say, "My country, right or wrong," and felt that he could not be a patriot and take a disinterested and impartial view of all acts of public policy proposed by his nation, is passing away. Not that there is to be less patriotism, but more. Have we ever had a statesman whose standards of morality for the American people were higher than those of James Russell Lowell ? And who has ever felt the thrill of a nobler patriotism than he knew who wrote that Commemoration Ode ? It is the man who sees the possibilities of a national life directed along the highest moral lines, and who believes in the readiness of the people to answer to high moral ideas, who stimulates and keeps alive the truest patriotism.

So when we present to you to-night the Platform which, it seems to us of the Business Committee, has included the points which have been most prominently before you ;—not all the points, but those upon which, it seemed likely to us, as we have listened carefully to these discussions, we may all be able to unite, so as to present to the world a statement of truth and an advocacy of certain measures upon which we are all agreed ;—when we do this, I say, we do it with a profound conviction that in the effort to commit our nation to measures of peaceful arbitration in place of war, we are not lessening patriotism, we are not endangering the national life. Rather are



we intensifying national life and love of country. Nothing builds up personality like regard for moral truth. Nothing strengthens character like conscience.

“’Tis conscience that preserves the might of will,”

says Trendelenburg ; and Milton, in the days of street brawls and party faction, when it meant life and not death to have beside you a man skilled in the use of a trusty sword, said,

“ Happy is he who walks  
With that strong siding champion, Conscience.”

In these last few years, since this question has been before us, we have learned to feel a pride in our national life such as we have never felt before. When our national leaders and the masses of the people have answered true and clear to the demand that the highest moral standards be kept to the front in shaping our national life, we have felt this joyous pride in American life ! We believe that when we ask the American people to commit themselves to a measure which shall bind them to be ready (and by means provided in advance) to settle differences of opinion without resort to force, *we are doing what will strengthen the national life* and not weaken it.

Who does not know the difference, in his own personal dealing, between an interview with a man who comes to you saying, “ Now I am going to have this thing anyhow,” and lifts his heavy stick over your head with a threat as he talks ; and an interview with the same man, when he says, “ We have different ideas, and probably you think you are right, and certainly I think I am ; now let us resort to the appointed tribunal and test the thing ; let us leave it out to men, and take their decision.” It is precisely to make impossible such a state of affairs as we saw a year ago at the Holidays, when that message concerning Venezuela started a quick wave of warlike feeling which threatened most disastrous results,— it is to prevent such dangers, having provided in advance measures that should render impossible such a sudden warlike pressure of public opinion, that we advocate this measure. You remember how seriously we felt the danger then. No man wanted to fail in patriotism. Yet how many men felt that it was a terrible state of affairs when a few reckless words, spoken at certain centers and by certain men, might have precipitated a war ! We feel that there ought not to be such a condition of unstable equilibrium in international relations. Hence this great measure has been proposed. Hence this great measure has been before our Senate, after it had been agreed upon by the administrations of England and the United States.

And we believe, my friends, that the place to renew efforts for the arbitration treaty is the place where those efforts were stopped — in the United States Senate. We believe that the practical thing to do first (not the only thing to be done) is to advertise to the world, so far as we can, the fact that this great measure is not abandoned. Two great nations have attempted an arbitration treaty,— two nations

under the sway of a common morality through long generations ; two nations which by heredity have a common respect for common forms of law and for common methods of procedure by law. The measure which has been attempted between these two great peoples is not absolutely lost. That measure which commanded almost the needed two-thirds majority in the Senate, and had behind it, as we believe, a vast popular majority of the people, is not a measure the realizing of which is absolutely hopeless. The success of this treaty is not to be regarded as out of the question. A treaty very similar, perhaps somewhat modified in the light of recent discussions in the Senate, should be proposed at once. And such a treaty shall first be ratified, please God, by the two peoples who stand foremost in their devotion to justice, to law and order, who speak the same language and have the same memories as their common possession. We believe that the effort for this great measure should be continued. And how we think it should go on, and what additional steps should be taken, you will hear in the Platform to-night.

I make way, then, for those who are to present the Platform. And my only word, as I take my seat, is this : Let us never cease to hold the clear conviction that he who sounds the highest moral note in these considerations does the most for the strength and the life of his country. Let the two peoples who stand together as the leading Christian nations of the world be united in their determination that they will not be plunged suddenly and unexpectedly into war with one another, but that they will provide, in advance, means for peaceable arbitration.

MR. CAPEN: One of the pleasant things about Mohonk conferences always is the large liberty of expression that is given. It seems to be in harmony with the very atmosphere of this mountain top, and with the magnificent hospitality of our host. In sympathy with this idea, your Business Committee have been very earnest during this Conference to induce as many people as possible to take some part in its discussions. The doings of the Conference are to be printed and to be sent broadcast over the land. We are here making public opinion, and when we have many speakers, as each has his own circle of friends, we thereby increase and broaden the influence of our work.

But divergence of opinion always adds to the labor of the Business Committee, whose duty it is to prepare the declaration of principles or Platform of the Conference. For it is the Mohonk idea that this committee is not to give expression to its own views especially, but to catch, during the three days of the discussion, so far as it may, the general consensus of views, and express this in the Platform. The one essential thing, if Mohonk is to have the same influence in the future as in the past, is that we keep together. Therefore, friends, if some of you do not discover in our Report the things you would like to see here, remember that exclusion has been necessary in order that there may be oneness and harmony.



We think that our report can be emphasized in three particulars. First, it is *hopeful*; there is not a note of discouragement in it. We feel as a famous commodore of the United States navy did once, when, his flag having been torn down by mistake, he was asked if he was through fighting. He replied, "I have not begun to fight!" If any one thinks that the friends of arbitration are discouraged by a little setback, we send to the country an answer like his: We have only begun our battle, which we mean, please God, to fight through to the end! (Applause.)

Second, our Platform is *positive*. The creeds of some men are what they do not believe. Now the Mohonk Platform is always positive in telling what the Conference does believe, and we have tried to be true to that idea.

Third, our Platform is *practical*. It has been well said that the astronomer who spends all the night polishing his glasses will never see the stars. Dr. Hale and others have urged us to do that which is practical, and we have all joined in the thought; we have therefore tried to put the emphasis, as President Gates has already suggested, upon the thing which we believe is practical now, the thing which we can do at once, — believing, all the same, that there is a larger horizon and more to see, and that we shall all see eye to eye by and by.

With these thoughts, as expressing the general idea of the committee in its preparation, I beg leave to read this declaration of the Third Annual Lake Mohonk Conference on International Arbitration :

## PLATFORM OF THE THIRD ANNUAL LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION.

"The civilized world may well rejoice at the unprecedented progress of the cause of international arbitration during the last year.

"We deplore the temporary check to the cause by the failure of the Senate to ratify the proposed treaty with England; but we recall the majority of the Senate in its favor, large, though less than the necessary two-thirds, and we believe that while the small minority honestly opposed it, their reasons were not such as to command permanent support.

"The overwhelming majority of the country should only be stimulated by this temporary failure to more zealous activity, urging our Executive to renew the treaty, with such modifications, if any, as may be approved in the light of the recent study of the subject by the Senate.

"Our country should also make a similar treaty with France, Germany, Austria, Italy, Belgium, Denmark and Switzerland, whose parliaments have taken action in favor of a permanent system of arbitration between civilized nations, and with all other countries which may take similar action.

"We look forward hopefully to the creation in some form of an international court, always open for the settlement of differences which diplomacy may fail to adjust, to which court any nation may resort.

"The thanks of this Conference are tendered to ex-President Cleveland, ex-Secretary Olney and Sir Julian Pauncefote for their eminent services to the cause of international arbitration, and to President McKinley and Secretary Sherman for their hearty support of the same great cause.

"The outburst of public approval of this treaty proves the growing power of Christian conscience. The pulpit, the press, colleges and associations of the bar, of trade and of labor have given almost unanimous support in behalf of the cause."

MR. EDMUNDS: The Chair would like to occupy the time for a moment in reference to what has been said concerning the absence of any particular plan through which our purpose should be effected. Some remarks were made the other day to the effect that the Washington Conference, which had representatives from almost every state in the Union, presented no specific plan, as the New York State Bar Association had done. This was spoken of as a failure on the part of that Conference to understand what it ought to have done.

The Conference thought it was acting very advisedly on that point, and that both policy and etiquette towards the Powers that negotiate would require that the Conference should not undertake to furnish to the diplomats the language in which they should endeavor to effectuate the purpose they had in view. It was known at that time to a good many men who were members of the Washington Conference — what was not known to all the world — that active negotiation was then going on between Sir Julian Pauncefote, acting under the authority of his government, and Mr. Olney, acting under the authority of the President of the United States, to accomplish the very purpose that both the New York State Bar Association and the Washington Conference and the Mohonk Conference had in view; that is, of providing a system of arbitration to settle disputes just as far as it is possible in this year of our Lord to go. It was thought far more desirable, not only as a matter of etiquette toward these negotiators, but as a matter of policy and public interest, that no body of men in the country should undertake to put forward for the consideration of those gentlemen any specific frame of convention which these two gentlemen, representing their governments, should agree upon. It was not therefore in ignorance of what was going on that the Washington Conference contented itself, as I thought very wisely, with the declaration that it did make, very analagous to the one which is now before us.

DR. HALE suggested the insertion in the Platform of the words, "and with all other countries which are ready to take such action," after the enumeration of countries.



COL. CHURCH moved that the committee have power to add to the enumeration of the countries named the names of such other countries as they shall find come within the description. It was so voted.

DR. TRUEBLOOD suggested that, in view of the order thus given to the Business Committee, the words suggested by Dr. Hale be amended to read, "And with all other countries which may take similar action." This amendment was adopted.

The question then being on the acceptance of the Platform as amended, it was unanimously adopted, with general enthusiasm.

On motion of Mr. Capen, it was voted that the Executive Committee of the Conference be requested to communicate with the various religious denominations and societies, with economic and educational associations, securing if possible the discussion by them of international arbitration, with the purpose of promoting popular intelligence on this vital subject.

The resolution with reference to the printing of the proceedings, which was tabled on the preceding day at the request of the Committee on Finance, was taken from the table, and it was voted, on motion of Mr. Capen, to instruct that committee to print five thousand copies of the report, and such larger edition as the funds in hand should justify.

On motion of Judge Chester, it was voted that the Memorial of the New York Bar Association, including their plan for an international court, as well as the text of the rejected treaty, and such information as the Publication Committee might be able to secure as to the amendments proposed and rejected and the votes upon them, be printed as an appendix to the proceedings of the Conference.

It was voted that Mr. Capen be added to the Committee on Publication.

On motion of Mr. Smiley, it was voted that the Chairman, the Executive Committee, and the Treasurer of the Conference hold their offices until the meeting of next year.

GENERAL JAMES GRANT WILSON of New York City was then introduced, and spoke as follows:

#### ADDRESS OF GEN. JAMES GRANT WILSON.

*Mr. Chairman,*—Those ladies and gentlemen present to-night who attended last year's Conference will remember that a very eloquent address was made by one of our associates, Mr. Matthew Hale of Albany. Before we separated we promised each other that we

would meet here again at Lake Mohonk for the third Arbitration Conference. Alas, he is not here ! He has fallen by the way. He was an honorable and able lawyer, a Christian gentleman, and a warm advocate of the objects of this Conference.

I wish to remark briefly that I desire to confirm all that was said this morning in defense of soldiers by my comrade Colonel Church, who anticipated me in saying what he did. I had purposed expressing very similar sentiments. You may rest assured, ladies and gentlemen, that men who have seen the horrors of a battlefield are always advocates of peace. It is not true of them, as the English wit said of the natives of the Green Isle, that "they are never at peace except when at war."

When as a youth I visited Washington Irving at Sunnyside, the genial writer told a story of a Scottish borderer who was always invited to the annual Abbotsford hunt given by Sir Walter Scott. Returning from one of these glorious gatherings which concluded with a grand dinner, one of the guests said, on departing, "Well, Sir Walter, I wish when I reach home I could go to sleep and not awake again until the next Abbotsford hunt." Possibly some of those present might like to make a similar statement concerning the next Lake Mohonk Conference.

The purpose for which I have risen is to offer a certain resolution, which I do with very great pleasure. It refers to this place of meeting, and to our host and hostess. I desire to quote what my old friend Dr. Cuyler said to me this morning, that Lake Mohonk was very much like an eel-pond, very easy to get into, and very difficult to get out of. He also spoke of our host and hostess in terms by which I had never before heard them designated, as "the Chiefs of the Lake Mohonk Band of the Shawangunk Tribe." The resolution which I have to offer, after these few words, is as follows :

*Resolved*, That the hearty thanks of the Lake Mohonk Conference on International Arbitration for 1897 be extended to Mr. and Mrs. Albert K. Smiley for their gracious hospitality. Twice before it has been extended to this Association, as it has been for fourteen years to a kindred organization. In departing from this unique and beautiful Christian home at the close of our third annual meeting, we desire to assure our genial and generous host and hostess of our warmest wishes for their continued career of usefulness as earnest workers in various fields of humanitarian effort. How much the friends of peace are indebted to them for opening their hearts and home to its advocates, by combining the charm of delightful social intercourse with the formal business of the Conference, it would be difficult to state ; but we believe that should the New England poet's dying dream be soon realized, —

" Out of the shadows of night  
The world rolls into light ;  
It is daybreak everywhere," —

to no one shall we feel that the good cause is more indebted than to Mr. and Mrs. Smiley, whose superb estate of several thousand acres unites such surpassing natural advantages of noble mountains, valleys, lakes and streams.

DR. GRAHAM : I rise with great pleasure to second this resolution. It is related of an ancient queen, when she came to see the glory of



the kingdom of Solomon, that when she had seen the meat of his table and the sitting of his servants and the ascent by which he went up to the mount of God, there was no more spirit in her, and she said, "It was a true report that I heard in mine own land ; nevertheless, when I came and saw, behold, the half was not told me !" We have stood in scenes celebrated in song and story in other and older lands than this ; but we may say truly to-night that the combination which we have here of mountain, lake and prospect is the peer of anything that we know in this or any other land. When we come to speak of the generous and unostentatious hospitality of the host and hostess of this beautiful resort, we have no language in which to express our feelings of gratitude. They have made it possible for us to attend this International Arbitration Conference, and to spend these days in delightful intercourse, social and intellectual, and in the enjoyment of these magnificent scenes. I am sure we shall all carry with us, as a pleasant memory while life lasts, the Arbitration Conference of 1897 at Lake Mohonk.

MR. LOVE: During the year there has been devised by a Norwegian gentleman a bequest of ten millions of dollars. The interest of one-fifth of this amount is to be paid annually to the person who has, during the year, done the most for the cause of peace, for peace congresses, for the reduction of armies, the arbitration of difficulties and the fraternity of nations. This large sum was left *at the death* of an illustrious character. On this continent we have a man, who, *during his life*, has given, and continues to give, his means, not to the one person who has done the most or shall do the most for this beneficent cause, but in a liberal and unselfish spirit to all who come to this pacific and magnificent place to confer with him and each other for the promotion of peace. I think the contrast between the two continents is in favor of America. But the name of Alfred Nobel and the fact of this great gift ought to be mentioned in this Conference ; and while nothing can detract from the high praise due to each, we can feel the encouragement that comes from across the waters, and gratefully endorse the resolution we have listened to in behalf of our generous host and patron of peace, Albert K. Smiley, of whom the inspired words are especially appropriate : "How beautiful upon the mountains are the feet of him that bringeth good tidings, that publisheth peace."

The resolution offered by General Wilson was then unanimously adopted by a rising vote, with great applause.

MR. SMILEY: I wish to thank you very much for these kind expressions. I do not think there is a man or woman in this house who feels happier than I do to see so many persons, interested in a cause that I have been interested in for many years, coming here and discussing it in such a way, and coming to a united conclusion. It was a little feared that we might not come to an amicable agreement ; but it turns out, as it has in all the nineteen conferences that

have met here, that we can come to an agreement in which we are all satisfied. I rejoice that we are so to-day.

I believe that the open discussion of important questions by competent men will certainly result in great good. But I believe that these discussions on arbitration will have to be continued for a long series of years. One gentleman said to-day that he expected to see the end in a short time ; but I do not expect to see it in my time, unless, perhaps, in an agreement with England and possibly with one or two other countries. But I do say this : that in the long run, — it may be fifty years and it may be a hundred, — I have full faith in the ultimate triumph of this principle that we are advocating. There will be a permanent court of nations in the end that will displace war just as dueling has been displaced, and as the resort to war in private quarrels has been ended. Nations eventually will learn this ; all the nations of the world are groaning under the burden of war, and the rank and file of the European nations are as anxious as we are for its end, and would rejoice to have it done away. There are unfortunately the officers of the army, whose rank and station in life depend upon their position in the army, who may want it to continue ; but the rank and file, even of the German nation, are wishing for peace and the reduction of the forces and an equitable adjustment of all international difficulties. I believe it will come. The labor organizations all over the world are working for it. Even the Socialists, whose practices many of us deprecate, have almost always in their platforms an appeal for the settlement of national difficulties by arbitration. Those extreme Liberals with whom we cannot quite agree have almost always had it in their platforms. So I look forward to an ultimate solution of this important question.

I want to say also that we propose to “fight it out on this line” here at Lake Mohonk if it takes a hundred years ! (Applause.) I have spoken to those who will inherit this estate, and put such charges on them that my life will not terminate this series of conferences. I look to you to come here and help us fight it out, and we want more people to come. If you have friends in any European country, ask them to come over and join us ; it would add greatly to our proceedings.

One word further : I want to thank Judge Edmunds for consenting to preside at this Conference. I think our success is largely due to his way of conducting the sessions. Our report will gain great weight from his great attainments and his personal character.

JUDGE STINESS : Among the many things which have contributed to your enjoyment at the sessions of this Conference, I am sure that not the least has been your satisfaction in seeing at its head, not simply one of the most distinguished statesmen of our time, but “the noblest Roman of them all” (applause), and in listening to the clear-cut, judicious and instructive words with which he has illuminated the subjects which have been before us, and the keen and quiet humor which has enlivened the somewhat necessary monotony of the



sessions of a body like this. The pleasantest duty, I am very sure, that has ever fallen to me has been the call to submit for an approval from you which I need not ask the following minute :

#### MINUTE.

Appreciating the aid and honor which this Conference has received in the service of the Hon. George F. Edmunds as the presiding officer, and wishing to record its grateful acknowledgment of the privilege thus enjoyed, the Conference tenders to him its cordial thanks for the ability, dignity and courtesy with which he has served and guided its deliberations.

MR. EDMUNDS : I had expected, ladies and gentlemen, to close this Conference on the motion to adjourn without being specially compelled, by a sense of gratitude and respect, to say anything whatever. I need not tell you how deeply I appreciate the very flattering minute offered by Judge Stiness, and your most kind and cordial approval of it. I know that I do not deserve one-quarter of what has been said, and I know that I should have deserved much less had it not been that my office, in such a presence as this, has been simply a sinecure. The order, the intelligence, the spirit, the refinement and the courtesy that characterize this body have made the duties of the Chair the slightest possible.

The work that you have accomplished and the discussions that you have gone through cannot fail to be of lasting and real benefit to the great cause we all have in hand—a cause that every right-minded man who comes to think of it and every right-spirited woman who comes to think of it will always have in hand until it is accomplished.

It is the mental and the moral atmosphere that we breathe and wish to enlarge and improve that furnishes the spirit and the hope for all we have to do. The peace that has come hitherto has come through the exertion of that same spirit and the improvement of that same atmosphere. It begins with the sacredness of the home, with the instruction of the child. It continues in the temper and the character and the example of the instructors of youth. It expands in the college, it pervades the church and the community from the pulpit to the laborer at the anvil, the sound of which, as the hammer rings upon it, speaks in a louder tone for peace and goodwill than did ever the hammer of Thor for the destruction of opposing peoples. It is this atmosphere that is more and more pervading and purifying the life—social, civil, political—of communities and nations. It is the growing strength of this atmosphere that, even now, in this year and at this moment, is holding fast the dogs of war where hundreds of thousands of armed men are facing each other with expectant and yet reluctant attitudes. And it will be this atmosphere that, as I hope and believe, out of all the infinite perplexities that embarrass the Eastern question, will preserve the peace of Europe and keep the East from all the horrors that accompany hostilities among men. We may consider the Turk to be barbarous and wicked : we

may consider the Armenian to be peaceful and virtuous. Both may be true ; both may need modification for accurate statement. We may believe that Russia is imperious and autocratic ; whether her people are able to govern themselves in their present condition is quite another thing. We may consider that the Kaiser, the master of Germany, — much more than the Czar is the master of Russia, — is wise or unwise in his ambitions. We may consider it reprehensible or otherwise that Her Majesty's government, circling the earth and holding under dominion millions upon millions of Moslem subjects, is reluctant to interfere actively with hostile measures for what she may deem intrinsically right, for fear that the endeavor to preserve the lives of a number of Armenians or Cretans would expose the lives of every Christian, of whatever persuasion, in all her East Indian and African dominions. So in all this stress, whatever may be the motive which has led to reluctant action, or no action at all, — whatever may be the circumstances which have brought Greece and Turkey into open and public hostility (now happily suspended), we may feel that it is the spirit which this Conference has expressed that, higher and broader than the selfishness of nations or the wisdom or the prudence of nations, is the life and the atmosphere that is to bring the breath of peace over this most vexatious and dangerous question.

But the atmosphere of peace, like the atmosphere of war, cannot live in a state of stagnation. The moral, intellectual and religious forces that preserve order in your towns, that preserve brotherhood in your churches, that keep up your schools, that punish the vicious and overturn the jobbers, must be continually encouraged by the active and persistent effort of every one who believes in what we believe in. The warfare for good — if one may use the word — is a perpetual warfare. There is no pause, there can be no pause, in its activities. There is no sleeping for the Christian soldier upon his arms. Onward, onward, day and night ; that is the only type and token of the victory you are to obtain. Just as constant as is the force of gravitation must be the effort of every good man and woman, in every line of life, day by day and year by year, to promote the great ends of civil and Christian society. Is not this a blessed work ? Who should hesitate, who should sleep, who should retreat ? No one, I am sure.

So, if we go home in this spirit, and extend our efforts in the spirit which has animated this Conference, there will be progress toward the end for which we are all wishing and laboring and praying. That progress will lead, sooner than in the time to which my friend Mr. Smiley has referred, of a hundred years ; sooner, I believe, than in fifty years, to that peace among the nations when all ways shall be ways of pleasantness and all paths shall be paths of peace. (Applause.)

I wish you all a happy return to your homes and a pleasant remembrance of our visit here.

The Conference then adjourned, without day.



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---

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- SMILEY, ALFRED H., Minnewaska, N. Y.
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## APPENDIX A.

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### TEXT OF THE ANGLO-AMERICAN ARBITRATION TREATY SIGNED AT WASHINGTON ON THE 11TH OF JANUARY, 1897.

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of consolidating the relations of Amity which so happily exist between them and of consecrating by Treaty the principle of International Arbitration, have appointed for that purpose as their respective Plenipotentiaries:

The President of the United States of America, the Honourable Richard Olney, Secretary of State of the United States; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Julian Pauncefote, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath and of the Most Distinguished Order of St. Michael and St. George and Her Majesty's Ambassador Extraordinary and Plenipotentiary to the United States,

Who, after having communicated to each other their respective Full Powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I. — The High Contracting Parties agree to submit to Arbitration in accordance with the provisions and subject to the limitations of this Treaty all questions in difference between them which they may fail to adjust by diplomatic negotiation.

ARTICLE II. — All pecuniary claims or groups of pecuniary claims which do not in the aggregate exceed £100,000 in amount, and which do not involve the determination of territorial claims, shall be dealt with and decided by an Arbitral Tribunal constituted as provided in the next following Article.

In this Article and in Article IV the words "groups of pecuniary claims" mean pecuniary claims by one or more persons arising out of the same transactions or involving the same issues of law and of fact.

ARTICLE III. — Each of the High Contracting Parties shall nominate one arbitrator, who shall be a jurist of repute, and the two arbitrators so nominated shall within two months of the date of their nomination select an umpire. In case they shall fail to do so within the limit of time above mentioned, the umpire shall be appointed by agreement between the Members for the time being of the Supreme Court of the United States, and the Members for the time being of the Judicial Committee of the Privy Council in Great Britain, each nominating body acting by a majority. In case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the High Contracting Parties, or either of them, the umpire shall be selected in the manner provided for in Article X.

The person so selected shall be the President of the Tribunal, and the award of the majority of the Members thereof shall be final.



ARTICLE IV. — All pecuniary claims or groups of pecuniary claims which shall exceed £100,000 in amount and all other matters in difference, in respect of which either of the High Contracting Parties shall have rights against the other under Treaty or otherwise, provided that such matters in difference do not involve the determination of territorial claims, shall be dealt with and decided by an Arbitral Tribunal, constituted as provided in the next following Article.

ARTICLE V. — Any subject of Arbitration described in Article IV shall be submitted to the Tribunal provided for by Article III, the award of which Tribunal, if unanimous, shall be final. If not unanimous, either of the High Contracting Parties may within six months from the date of the award demand a review thereof. In such case the matter in controversy shall be submitted to an Arbitral Tribunal, consisting of five jurists of repute, no one of whom shall have been a member of the Tribunal whose award is to be reviewed, and who shall be selected as follows, viz. : — two by each of the High Contracting Parties and one to act as umpire by the four thus nominated and to be chosen within three months after the date of their nomination. In case they shall fail to choose an umpire within the limit of time above mentioned, the umpire shall be appointed by agreement between the Nominating Bodies designated in Article III acting in the manner therein provided. In case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the High Contracting Parties, or either of them, the umpire shall be selected in the manner provided for in Article X.

The person so selected shall be the President of the Tribunal, and the award of the majority of the Members thereof shall be final.

ARTICLE VI. — Any controversy which shall involve the determination of territorial claims shall be submitted to a Tribunal composed of six Members, three of whom (subject to the provisions of Article VIII) shall be Judges of the Supreme Court of the United States or Justices of the Circuit Courts to be nominated by the President of the United States, and the other three of whom (subject to the provisions of Article VIII) shall be Judges of the British Supreme Court of Judicature or Members of the Judicial Committee of the Privy Council to be nominated by Her Britannic Majesty, whose award by a majority of not less than five to one shall be final. In case of an award made by less than the prescribed majority, the award shall also be final unless either Power shall, within three months after the award has been reported, protest that the same is erroneous, in which case the award shall be of no validity.

In the event of an award made by less than the prescribed majority and protested as above provided, or if the Members of the Arbitral Tribunal shall be equally divided, there shall be no recourse to hostile measures of any description until the mediation of one or more friendly Powers has been invited by one or both of the High Contracting Parties.

ARTICLE VII. — Objections to the jurisdiction of an Arbitral Tribunal constituted under this Treaty shall not be taken except as provided in this Article.

If before the close of the hearing upon a claim submitted to an Arbitral Tribunal constituted under Article III or Article V, either of the High Contracting Parties shall move such Tribunal to decide, and thereupon it shall decide that the determination of such claim necessarily involves the decision of a disputed question of principle of grave general importance affecting the national rights of such party as distinguished from the private rights whereof it is merely the international representative, the jurisdiction of such Arbitral Tribunal over such claim shall cease and the same shall be dealt with by arbitration under Article VI.

ARTICLE VIII. — In cases where the question involved is one which concerns a particular State or Territory of the United States, it shall be open to the President of the United States to appoint a judicial officer of such State or Territory to be one of the Arbitrators under Article III or Article V or Article VI.

In like manner in cases where the question involved is one which concerns a British Colony or possession, it shall be open to Her Britannic Majesty to appoint a judicial officer of such Colony or possession to be one of the Arbitrators under Article III or Article V or Article VI.

ARTICLE IX. — Territorial claims in this Treaty shall include all claims to territory, and all claims involving questions of servitudes, rights of navigation and of access, fisheries and all rights and interests necessary to the control and enjoyment of the territory claimed by either of the High Contracting Parties.

ARTICLE X. — If in any case the nominating bodies designated in Articles III and V shall fail to agree upon an Umpire in accordance with the provisions of the said Articles, the Umpire shall be appointed by His Majesty the King of Sweden and Norway.

Either of the High Contracting Parties, however, may at any time give notice to the other that, by reason of material changes in conditions as existing at the date of this Treaty, it is of opinion that a substitute for His Majesty should be chosen either for all cases to arise under the Treaty or for a particular specified case already arisen, and thereupon the High Contracting Parties shall at once proceed to agree upon such substitute to act either in all cases to arise under the Treaty or in the particular case specified as may be indicated by said notice; provided, however, that such notice shall have no effect upon an Arbitration already begun by the constitution of an Arbitral Tribunal under Article III.

The High Contracting Parties shall also at once proceed to nominate a substitute for His Majesty in the event that His Majesty shall at any time notify them of his desire to be relieved from the functions graciously accepted by him under this Treaty either for all cases to arise thereunder or for any particular specified case already arisen.

ARTICLE XI. — In case of the death, absence or incapacity to serve of any Arbitrator or Umpire, or in the event of any Arbitrator or Umpire omitting or declining or ceasing to act as such, another Arbitrator or Umpire shall be forthwith appointed in his place and stead in the manner provided for with regard to the original appointment.

ARTICLE XII. — Each Government shall pay its own agent and provide for the proper remuneration of the counsel employed by it and of the Arbitrators appointed by it and for the expense of preparing and submitting its case to the Arbitral Tribunal. All other expenses connected with any Arbitration shall be defrayed by the two Governments in equal moieties.

Provided, however, that, if in any case the essential matter of difference submitted to arbitration is the right of one of the High Contracting Parties to receive disavowals of or apologies for acts or defaults of the other not resulting in substantial pecuniary injury, the Arbitral Tribunal finally disposing of the said matter shall direct whether any of the expenses of the successful party shall be borne by the unsuccessful party, and if so to what extent.

ARTICLE XIII. — The time and place of meeting of an Arbitral Tribunal, and all arrangements for the hearing and all questions of procedure, shall be decided by the Tribunal itself.

Each Arbitral Tribunal shall keep a correct record of its proceedings, and may appoint and employ all necessary officers and agents.

The decision of the Tribunal shall, if possible, be made within three months from the close of the arguments on both sides.

It shall be made in writing and dated, and shall be signed by the Arbitrators who may assent to it.

The decision shall be in duplicate, one copy whereof shall be delivered to each of the High Contracting Parties through their respective agents.



ARTICLE XIV. — This Treaty shall remain in force for five years from the date at which it shall come into operation, and further until the expiration of twelve months after either of the High Contracting Parties shall have given notice to the other of its wish to terminate the same.

ARTICLE XV. — The present Treaty shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof and by Her Britannic Majesty; and the mutual exchange of ratifications shall take place in Washington or in London within six months of the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Treaty and have hereunto affixed our seals.

Done in duplicate at Washington, the 11th day of January, 1897.

RICHARD OLNEY.	[L. S.]
JULIAN PAUNCEFOTE.	[L. S.]

## APPENDIX B.

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### MEMORIAL OF THE NEW YORK STATE BAR ASSOCIATION TO THE PRESIDENT OF THE UNITED STATES RECOMMENDING THE CREATION OF AN INTERNATIONAL COURT OF ARBITRATION.

TO THE PRESIDENT :

*The Petition of the New York State Bar Association respectfully shows :*

That, impelled by a sense of duty to the state and nation and a purpose to serve the cause of humanity everywhere, your Petitioner at its annual session held in the city of Albany on the 22d day of January, 1896, appointed a committee to consider the subject of International Arbitration and to devise and submit to it a plan for the organization of a tribunal to which may hereafter be submitted controverted international questions between the governments of Great Britain and the United States.

That said committee entered upon the performance of its duty at once, and, after long and careful deliberation, reached the conclusion that it is impracticable, if not impossible, to form a satisfactory Anglo-American Tribunal, for the adjustment of grave international controversies, that shall be composed only of representatives of the two governments of Great Britain and the United States.

That, in order that the subject might receive more mature and careful consideration, the matter was referred to a subcommittee, by whom an extended report was made to the full committee. This report was adopted as the report of the full committee, and, at a Special Meeting of the State Bar Association called to consider the matter, and held at the State Capitol in the city of Albany on the 16th day of April, 1896, the action of the committee was affirmed and the plan submitted fully endorsed. As the report referred to contains the argument in brief, both in support of the contention that it is impracticable to organize a court composed only of representatives of the governments of Great Britain and the United States, and in support of the plan outlined in it, a copy of the report is hereto appended, and your Petitioner asks that it be made and considered a part of this Petition.\*

That your Petitioner cordially endorses the principle of arbitration for the settlement of all controversies between civilized nations, and it believes that it is quite within the possibility of the educated intellects of the leading Powers of the world to agree upon a plan for a great central World's Court that, by the common consent of nations, shall eventually have jurisdiction of all disputes arising between Independent Powers that cannot be adjusted by friendly diplomatic negotiations. Holding tenaciously to this opinion and conscious that there must be a first step in every good work, else there will never be a second, your Petitioner respectfully but earnestly urges your early consideration of the subject that ultimately—at least during the early years of the coming century—the honest purpose of good men of every nation may be realized in devising means for the peaceful solution of menacing disputes between civilized nations. Your Petitioner therefore submits to you the following recommendations :

*First:* The establishment of a permanent International Tribunal, to be known as "The International Court of Arbitration."

*Second:* Such court to be composed of nine members, one each from nine independent states or nations, such representative to be a member of the Supreme or

\* The report referred to is here omitted because of its length.



Highest Court of the nation he shall represent, chosen by a majority vote of his associates, because of his high character as a publicist and judge, and his recognized ability and irreproachable integrity. Each judge thus selected to hold office during life or the will of the court selecting him.

*Third:* The court thus constituted to make its own rules of procedure, to have power to fix its place of sessions and to change the same from time to time as circumstances and the convenience of litigants may suggest, and to appoint such clerks and attendants as the court may require.

*Fourth:* Controverted questions arising between any two or more Independent Powers, whether represented in said "International Court of Arbitration" or not, at the option of said Powers, to be submitted by treaty between said Powers to said court, providing only that said treaty shall contain a stipulation to the effect that all parties thereto shall respect and abide by the rules and regulations of said court, and conform to whatever determination it shall make of said controversy.

*Fifth:* Said court to be open at all times for the filing of cases and counter cases under treaty stipulations by any nation, whether represented in the court or not, and such orderly proceedings in the interim between sessions of the court, in preparation for argument, and submission of the controversy, as may seem necessary, to be taken as the rules of the court provide for and may be agreed upon between the litigants.

*Sixth:* Independent Powers not represented in said court, but which may have become parties litigant in a controversy before it, and, by treaty stipulation, have agreed to submit to its adjudication, to comply with the rules of the court and to contribute such stipulated amount to its expenses as may be provided for by its rules, or determined by the court.

Your Petitioner also recommends that you enter at once into correspondence and negotiation, through the proper diplomatic channels, with representatives of the governments of Great Britain, France, Germany, Russia, The Netherlands, Mexico, Brazil and the Argentine Republic, for a union with the government of the United States in the laudable undertaking of forming an International Court substantially on the basis herein outlined.

Your Petitioner presumes it is unnecessary to enter into further argument in support of the foregoing propositions than is contained in the report of its committee, which is appended hereto and which your Petitioner has already asked to have considered a part of this Petition. Your Petitioner will be pardoned, however, if it invite especial attention to that part of the report emphasizing the fact that the plan herein outlined is intended, if adopted, at once to meet the universal demand among English-speaking people for a permanent tribunal to settle contested international questions that may hereafter arise between the governments of Great Britain and the United States.

While it is contended that it is wholly impracticable to form such a tribunal without the friendly interposition of other nations on the joint invitation of the Powers who unite in its organization, it is very evident that a most acceptable permanent International Court may be speedily secured by the united and harmonious action of said Powers as already suggested. Should obstacles be interposed to the acceptance, by any of the Powers named by your Petitioner, of the invitation to name a representative for such a court on the plan herein generally outlined, some other equally satisfactory Power could be solicited to unite in the creation of such a court.

Believing that, in the fulfillment of its destiny among the civilized nations of the world, it has devolved upon the younger of the two Anglo-Saxon Powers, now happily in the enjoyment of nothing but future peaceful prospects, to take the first step looking to the permanency of peace among nations, your Petitioner, representing the Bar of the Empire State, earnestly appeals to you as the Chief Executive officer of the government of the United States, to take such timely action as shall lead eventually to the organization of such a tribunal as has been

outlined in the foregoing recommendations. While ominous sounds of martial preparations are in the air, the shipbuilder's hammer is industriously welding the bolt, and arsenals are testing armor plates, your Petitioner, apprehensive for the future, feels that delays are dangerous, and it urgently recommends that action be taken at once by you to compass the realization of the dream of good men in every period of the world's history, when nations shall learn war no more and enlightened Reason shall fight the only battles fought among the children of men.

AND YOUR PETITIONER WILL EVER PRAY.

[L. S.]      Attested in behalf of the New York State Bar Association at the  
Capitol in the City of Albany, N. Y., April 16th, 1896.

ED. G. B. WHITAKER, *President.*

L. PROCTOR, *Secretary.*



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